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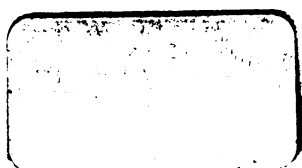
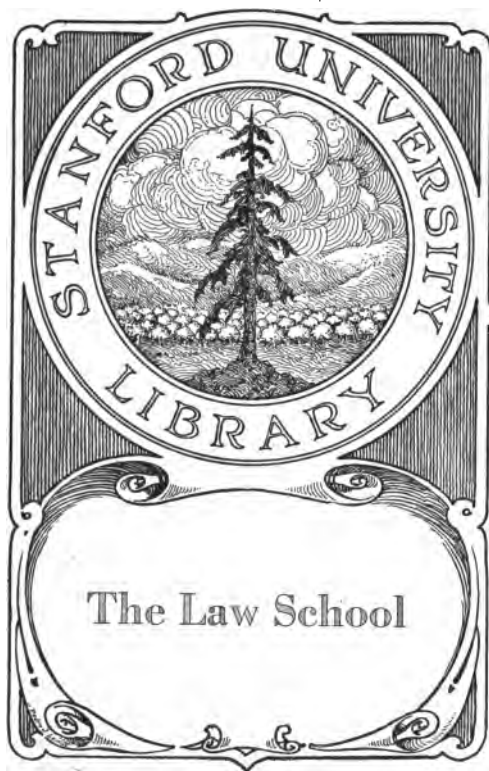
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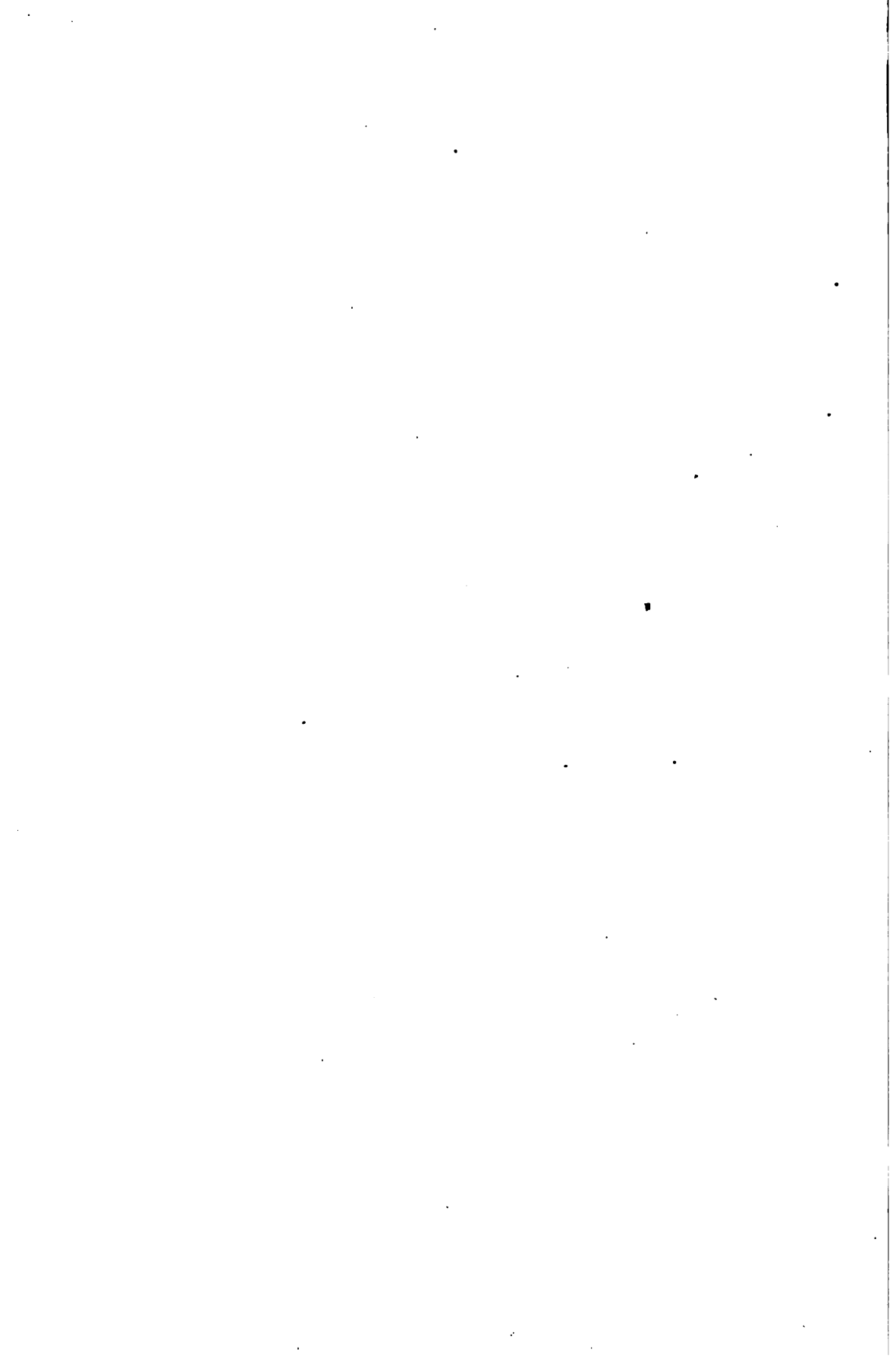
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# ORDER IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC



HIS HONOUR  
THE HONOURABLE SIR JOSEPH ADOLPHE CHAPLEAU, K.C.M.G.  
LIEUTENANT-GOVERNOR



QUEBEC  
PRINTED BY CHARLES PAGEAU  
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY  
ANNO DOMINI 1898

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# ORDER IN COUNCIL



## EXECUTIVE COUNCIL CHAMBERS

Quebec, 20th May, 1897

PRESENT :

His Honor the Lieutenant-Governor in Council

Whereas article 1416 of the Game Laws authorizes the Lieutenant-Governor in Council to fix the fee for each hunting permit applied for by any person not domiciled in the Province of Quebec ;

It is ordered that the following prices shall be established :

1. For the right to hunt large game, permitting the killing or taking in one hunting season, of two moose, three deer (Virginia deer) and two caribou, a sum of twenty-five dollars shall be exacted, payable in advance and in one payment.

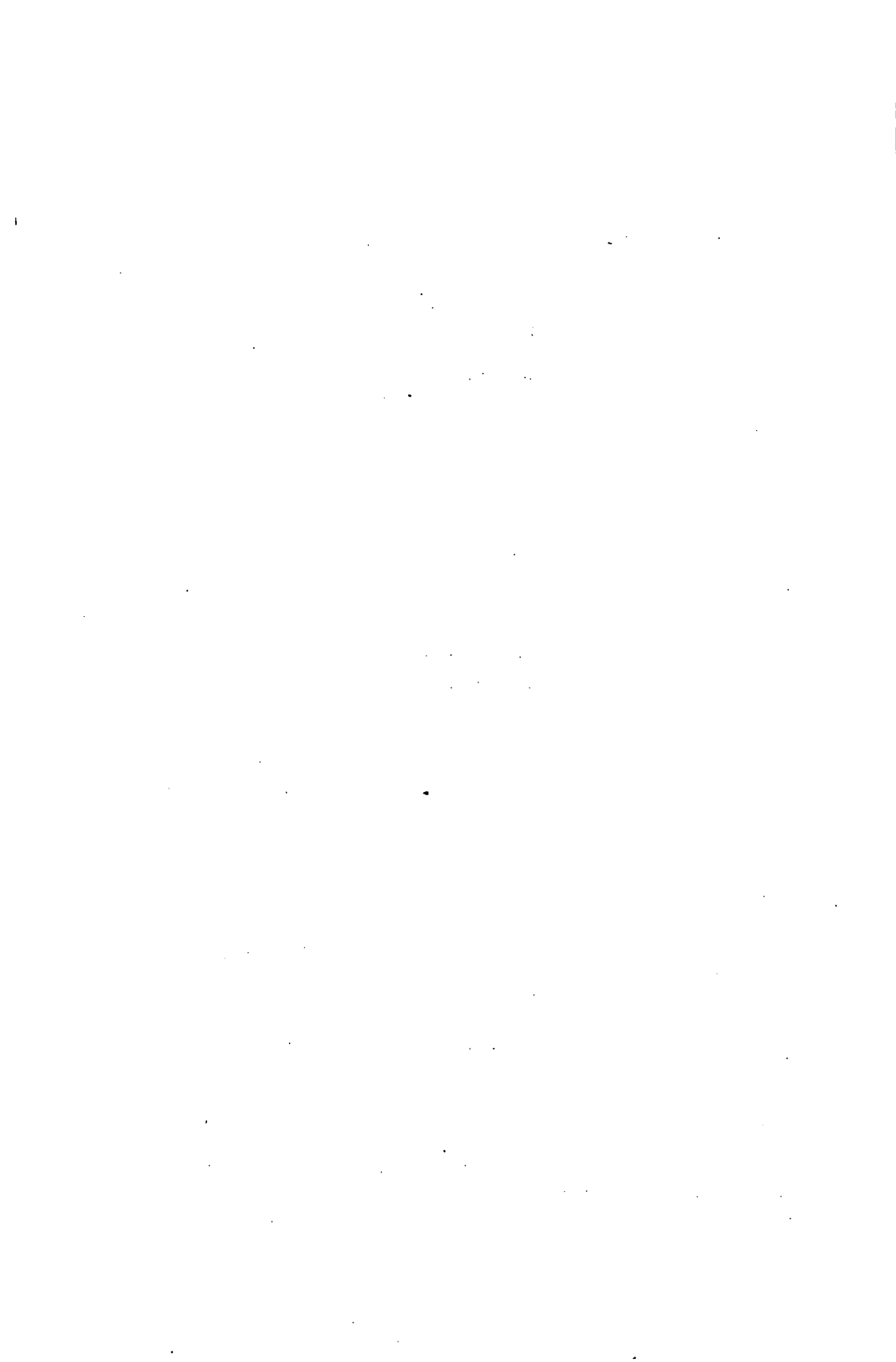
2. For the right to hunt fur-bearing animals, during one hunting season, a sum of twenty dollars shall be exacted payable in advance in one payment, for every hunter not holding a hunting territory regularly leased.

3. A fixed sum of ten dollars shall be exacted from each person for hunting water-fowl, beach, swamp or wood birds, during one hunting season.

4. A sum of one dollar and fifty cents per day shall be exacted from each hunter not domiciled in the Province of Quebec, who desires to or can only hunt [water-fowl, beach, swamp or wood birds for a few days, during the lawful season.

GUSTAVE GRENIER,

*Clerk, Executive Council.*



# STATUTES

OF THE

# PROVINCE OF QUEBEC

PASSED IN THE

Sixty-first year of the Reign of Her Majesty

QUEEN VICTORIA

AND IN THE

FIRST SESSION OF THE NINTH LEGISLATURE

BEGUN AND HOLDEN, AT QUEBEC, ON THE TWENTY-THIRD DAY OF NOVEMBER, IN THE YEAR OF  
OUR LORD ONE THOUSAND EIGHT HUNDRED AND NINETY-SEVEN, AND CLOSED  
BY PROROGATION ON THE FIFTEENTH DAY OF JANUARY,  
IN THE YEAR OF OUR LORD ONE THOUSAND  
EIGHT HUNDRED AND NINETY-EIGHT



HIS HONOUR  
THE HONOURABLE SIR JOSEPH ADOLPHE CHAPLEAU, K.C.M.G  
LIEUTENANT-GOVERNOR



QUEBEC  
PRINTED BY CHARLES PAGEAU  
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY  
ANNO DOMINI 1898





ANNO SEXAGESIMO PRIMO

# VICTORIÆ REGINÆ

## C A P. I

An Act granting to Her Majesty the moneys required for the expenses of the Government for the financial years ending on the 30th June, 1898, and on the 30th June, 1899, and for other purposes connected with the public service

*[Assented to 15th January, 1898]*

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it appears by messages from His Honour, the Preamble.  
Honourable Sir Joseph Adolphe Chapleau, K.C.M.G., Lieutenant-Governor of this Province, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the Government of the Province, not otherwise provided for, for the financial years ending on the 30th June, 1898, and on the 30th June, 1899, and for other purposes connected with the public service ; May it, therefore, please Your Majesty that it may be enacted, and be it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislature of Quebec, that :

1. From and out of the consolidated revenue fund of this Province, there shall and may be taken a sum, not exceeding <sup>may be taken,</sup> in the whole eighty-two thousand, one hundred and ninety-eight dollars and forty-seven cents, for defraying the charges <sup>for the year</sup> and expenses of the Government and public service of the Province, for the financial year ending on the 30th June, 1898, as set forth in Schedule A, annexed to this act. <sup>ending 30th June, 1898,</sup> <sup>out of consol-</sup> <sup>idated reve-</sup> <sup>nue fund, for</sup> <sup>purposes</sup> <sup>mentioned in</sup> <sup>Schedule A.</sup>



\$1,989,299.87 may be taken for the year ending 30th June, 1899, out of consolidated revenue fund, for purposes mentioned in Schedule B.

**2.** From and out of the consolidated revenue fund of this Province, a sum, not exceeding in the whole one million, nine hundred and eighty-nine thousand, two hundred and ninety-nine dollars and eighty-seven cents, may be taken for defraying, during the financial year ending on the 30th June, 1899, the charges and expenses of the Government and public service of the Province, as set forth in Schedule B, annexed to this act.

Payments to be made subject to settlement of accounts with the Dominion and Ontario.

**3.** Every payment or application of moneys, appropriated by this act, shall be held to be made provisionally, and subject to all adjustment in account hereafter, in respect of the Dominion and of the Province of Ontario, and of special funds, which this act may in any manner affect.

Accounts to be rendered to both Houses of the Legislature.

**4.** Accounts, in detail, of all moneys expended under the authority of this act, shall be laid before both Houses of the Legislature of the Province, at the next session thereof.

Moneys expended to be accounted for to Her Majesty. Coming into force.

**5.** The application of all sums expended under the authority of this act shall also be accounted for to Her Majesty.

**6.** This act shall come into force on the day of the sanction thereof.

## SCHEDULE A

Sums granted to Her Majesty, by this act, for the financial year ending on the 30th June, 1898, with indication of the purposes for which they are granted.

No.	SERVICE.	—	Total.
	II.—LEGISLATION.	\$ cts.	\$ cts.
	<i>Legislative Council :</i>		
1	Salaries and contingent expenses, etc., to pay cost of valises for the members, not provided for in the estimates for the current fiscal year .....	764 15	
	<i>Legislative Assembly :</i>		
2	Salaries and contingent expenses, etc., to pay cost of valises for the members, not provided for in the estimates for the current fiscal year .....	2,175 00	
3	Expenses of Elections. ....	2,000 00	4,939 15
	III.—CIVIL GOVERNMENT.		
4	Contingencies : To pay " La Caisse d'Economie," Quebec, sundry accounts for stationery, supplied by J. A. Langlais, as established by O. C. No. 394 of 20th May, 1897 .....		7,679 98
	IV.—ADMINISTRATION OF JUSTICE, &c.		
5	Transcription of Registers, Registrar's office, Montreal West. Under O. C. No. 276 of 17th April, 1897. ....		4,500 00
	<i>Police :</i>		
6	Judge of the Sessions of the Peace, Quebec ; Police Magistrates, Montreal ; their salaries, those of their officers and contingencies, including salaries of High Constable and his deputy, &c., Montreal .....		2,720 00
	V.—PUBLIC INSTRUCTION, &c.		
	<i>Miscellaneous :</i>		
7	<i>Académie Commerciale de la Pointe Claire ; towards construction ; 2nd and last payment. Revote. ....</i>		1,000 00
	Carried over ..		20,839 13

## SCHEDULE A—Continued

No.	SERVICE.	—	Total.
		\$ cts.	\$ cts.
	Brought forward .....		20,839 13
	VI.—AGRICULTURE.		
8	Farmers' Clubs—( <i>Cercles Agricoles</i> )—and encouragement of agriculture in general .....	4,600 00	
9	Three Rivers Exhibition .....	3,000 00	
10	Compton Model Farm: Purchase price of Farm in virtue of Contract of 23rd April, 1896. ....	5,000 00	
11	Agricultural Society of Richmond—Under O. C. No. 479 of 14th November, 1896. ....	2,000 00	
			14,600 00
	VII.—PUBLIC WORKS AND BUILDINGS.		
	(Ordinary)		
12	Rents, Insurances, Repairs, &c., of Public Buildings generally; to pay premiums of Insurance not provided for in the Estimates for the current fiscal year .....	7,094 45	
13	Insurance of Court Houses and Gaols: to pay premiums of Insurance not provided for in the Estimates for the current fiscal year .....	11,947 51	
14	Rents of Court Houses and Gaols: Temporary Court Houses, Rimouski and Montreal; Installation, &c. ....	2,070 00	
	(Extraordinary.)		
15	New Court House, Quebec: Purchase price for the portion of the ground acquired from Heirs Chs. Panet.	8,000 00	
16	New Court House, Quebec: Part of costs payable by the Crown, <i>re</i> claim of J. P. Whelan submitted to arbitration and which said claim has been rejected.	1,343 47	
17	Court House, Montreal: For furniture .....	14,000 00	
	Carried over .....	44,455 43	35,439 13

## SCHEDULE A—Continued

No.	SERVICE.	—	Total.
		\$ cts.	\$ cts.
	Brought forward.....	44,455 43	35,439 13
	VII.—PUBLIC WORKS AND BUILDINGS.—Continued.		
	(Extraordinary.)—Continued.		
	<i>Iron Bridges in Municipalities:</i>		
18	Claim Maquet, amount recognized and promised by official letter of 13th February, 1897..... \$400 00		
19	Claim Emery Lafontaine, for tax as witness <i>in re</i> Bacon vs. The Queen. (Bridge St. Pierre, <i>Rivière du Sud</i> ). .... 47 97	447 97	44,903 40
	IX.—MISCELLANEOUS SERVICES.		
20	Lake Superior and Baie des Chaleurs Railways Sequestration: Fees of the Crown Attorneys in these cases.	697 98	
21	Quebec, Montreal, Ottawa and Occidental Railway, Traffic expenses: Costs payable by the Crown <i>re</i> arbitration Paquin, Fleury, Paré and Dufresne .....	1,016 06	1,714 04
	X.—RAILWAYS.		
	Quebec, Montreal, Ottawa and Occidental Railway construction:		
22	J. B. Hamel, notary: in full settlement of his claim for professional services <i>re</i> deeds of expropriations. ....	100 00	
23	Sauriol: in full settlement of his claim, capital and interest <i>re</i> right of way substituted.....	41 90	141 90
	Total.....		82,198 47

## SCHEDULE B

Sums granted to Her Majesty, by this act, for the financial year ending on the 30th June, 1899, with indication of the purposes for which they are granted.

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	I.—PUBLIC DEBT.			
1	Charges of management.....			15,752 78
	II.—LEGISLATION.			
	<i>Legislative Council:</i>			
2	Speaker's salary.....	1,000 00		
3	Salaries and contingent expenses, &c..	12,811 50	13,811 50	
	<i>Legislative Assembly:</i>			
4	Speaker's salary.....	1,000 00		
5	Salaries and contingent expenses, &c..	49,300 00	50,300 00	
6	Printing and binding for both Houses of the Legislature. R. S. Q., art. 158.		25,400 00	
	<i>Library of the Legislature:</i>			
	Purchase of books.....	2,000 00		
8	Salaries, contingent expenses, &c.....	5,800 00	7,800 00	
9	Expenses of Elections.....		2,500 00	
10	Clerk of the Crown in Chancery: —Salary.		200 00	
	<i>Queen's Printer:</i>			
11	Printing, binding and disturbing the laws.....		5,000 00	105,011 50
	Carried over.....			120,764 28

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total
		\$ cts.	\$ cts.	\$ cts.
	Brought forward .....			120,764 28
	III.—CIVIL GOVERNMENT.			
12	Salaries .....		3,050 00	
13	Contingencies .....		51,500 00	54,550 00
	IV.—ADMINISTRATION OF JUSTICE, &C.			
14	Administration of justice .....		439,750 00	
	<i>Police :</i>			
15	Judges of the Sessions of the Peace, Quebec; Police Magistrates, Montreal; their salaries, those of their officers and contingencies, including salaries of high constable and his deputy, &c., in Montreal .....		26,260 00	
16	Reformatory and Industrial Schools .....		58,900 00	
17	Inspection of Public Offices .....		9,000 00	533,910 00
	V.—PUBLIC INSTRUCTION, &C.			
	(Through the Department of Public Instruction.)			
	<i>Public Instruction proper :</i>			
18	Superior Education: Five per cent. of the Roman Catholic share of this sum will be annually retained, to be distributed, in such proportion as the Lieutenant-Governor in Council may be pleased to determine, among the institutions for Deaf-Mutes and the Blind in Roman Catholic Institutions in the Province; and five per			
	Carried over. . . . .			709,224 28

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward .....			709,224 28
	V.—PUBLIC INSTRUCTION, &c.—Continued.			
	(Through the Department of Public Instruction—Continued.)			
	Public Instruction proper:—Continued.			
	cent. of the share of Roman Catholics in the Superior Education Fund may be employed by the Provincial Secretary in competitions and rewards and for purchasing the best works published in this Province and, particularly, those intended for teaching in elementary schools, and \$10,000 shall be paid, under 57 Victoria, chapter 23, section 17, out of the said share of the said fund, to the Polytechnic school.....			
	Of the portion apportioned to Protestant Superior Education, \$200 shall be applied in aid of the Provincial Teachers' Association, and \$700 towards the salary of an Inspector of Superior Schools, Academies, &c. \$71,000 00			
19	High Schools : Quebec and Montreal..... 2,470 00			
20	Compensation to Roman Catholic Institutions for grants to High Schools, out of which \$2,000 for the Law Faculty of Laval University, Montreal, and \$2,000 for the Montreal School of Medicine and Surgery.... 4,940 00			
		78,410 00		
	Carried over.....	78,410 00		709,224 28

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....	78,410 00	.....	709,224 28
	V.—PUBLIC INSTRUCTION, &c.—Continued, (Through the Department of Public In- struction.—Continued. <i>Public Instruction proper</i> .—Continued.			
21	Public Schools: Five per cent of the share of Roman Catholics in this sum shall be annually retained to be dis- tributed, in such proportion as the Lieutenant-Governor in Council may be pleased to determine, among the Roman Catholic Institutions for Deaf- Mutes and the Blind in the Province.	160,000 00		
22	Schools in Poor Municipalities.....	13,000 00		
23	Normal Schools.....	43,000 00		
24	Inspection of Schools.....	36,000 00		
25	Superannuated Teachers.....	8,000 00		
26	Schools for the deaf and dumb.....	12,000 00		
27	School for the deaf and dumb, Mile End, Montreal.....	500 00		
28	School for deaf and dumb girls, Sisters of Providence, Montreal.....	500 00		
29	Council of Public Instruction.....	2,000 00		
30	Towards the publication of a French journal, and of an English journal on public instruction, upon the condi- tions and in the manner determined by the Provincial Secretary.....	1,500 00		
31	Scholastic Museum.....	600 00		
32	Report of Superintendent of Public Instruction.....	500 00		
	Miscellaneous:	356,010 00		
33	<i>Succursale de l'Université Laval</i> , Mont- real, third out of seven equal pay- ments.....	4,000 00		
			360,010 00	
	Carried over.....	.....	360,010 00	709,224,28



SCHEDULE B—*Continued*

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward .....		360,010 00	709,224 28
	V.—PUBLIC INSTRUCTION, &c.— <i>Continued.</i>			
	<i>Literary and Scientific Institutions :</i>			
34	School of Navigation, Quebec .....		1,000 00	
	<i>Arts and Manufactures :</i>			
35	Council of Arts and Manufactures, comprising the teaching of fine arts applied to industry .....		13,000 00	374,010 00
	VI.—PUBLIC WORKS AND BUILDINGS.			
	(Ordinary.)			
36	Rents, insurances, repairs, &c., of public buildings generally, including \$7,594.00 for water-tax .....	73,861 00		
37	Inspections, Explorations, &c. ....	3,000 00		
38	Repairs of Court Houses and Gaols .....	16,865 00		
39	Rents of Court Houses and Gaols .....	2,886 76	96,612 76	
	(Extraordinary.)			
40	Aid towards the construction of a bridge over the Grande Rivière, Gaspé .....	1,427 08		
41	Bridge over River Rouge : Aid towards .....	3,000 00	4,427 08	101,039 84
	VII.—AGRICULTURE.			
42	Farmers' Clubs—( <i>Cercles agricoles</i> )— encouragement of agriculture in general and improvement of rural roads .....		40,000 00	
43	Horticultural Society, Quebec .....		250 00	
	Carried over .....		40,250 00	1,184,274 12

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward .....		40,250 00	1,184,274 12
	VII.—AGRICULTURE.—Continued.			
44	Council of Agriculture .....		3,000 00	
45	Agricultural Schools .....		15,000 00	
46	Veterinary Schools .....		5,000 00	
47	Dairy Association of the Province of Quebec, and inspection of butter and cheese syndicates. R. S. Q., art. 1753a and 1753e, (54 V., c. 20, and O. C. No. 75 of 24th January, 1891) .....		11,100 00	
48	Towards the encouragement of the Dairy Industry, of the teaching of the manu- facture of the new varieties of cheese, dairy products competition ( <i>Concours de produits laitiers</i> .) Inspection of but- ter and cheese manufactures of the Province, &c., &c. ....		10,000 00	
49	Encouragement of the culture of fruit trees. ....		500 00	
50	Flax Industry : Towards encouraging its establishment in this Province, 1st out of 5 equal payments .....		1,000 00	
51	Official Laboratory of the Province of Quebec. ....		1,000 00	
52	Lectures on agriculture .....		3,000 00	
53	Poultry Association, Montreal. ....		200 00	
54	Provincial Agricultural Merit .....		2,500 00	
55	Arbor Day .....		100 00	
56	Improvement of Rural Roads .....		8,000 00	
57	Paris Exhibition .....		3,000 00	103,650 00
	Carried over .....			1,287,924 12

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts
	Brought forward.....			1,287,924 1
	VIII.—LANDS, FORESTS AND FISHERIES.			
58	General expenditure.....		85,000 00	
59	Fisheries and Game.....		9,000 00	
60	Suspense account.....		13,000 00	
61	Protection of Forest.....		12,000 00	
62	Publication of Sectional Maps.....		2,000 00	
				121,000 00
	IX.—COLONIZATION AND MINES, &C.			
63	Colonization Roads.....		75,000 00	
64	Colonization Societies generally.....		4,000 00	
65	Immigration: Quebec and Montreal Offices.		3,500 00	
66	Women's Protective Immigration Society, Montreal.....		500 00	
67	Registration service (Cadastre).....		12,000 00	
68	Surveys.....		20,000 00	
69	Mines.....		5,000 00	
70	Publication of Maps.....		2,500 00	
				122,500 00
	X.—CHARITIES.			
71	Lunatic Asylums, including transfer of pa- tients from Gaols to Asylums and other incidental expenses.....		290,000 00	
	Carried over.....		290,000 00	1,531,424 12

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward .....		290,000 00	1,531,424 12
	X.—CHARITIES.—Continued.			
	Miscellaneous:			
72	Corporation of General Hospital, Montreal ..	5,000 00		
73	Indigent Sick, do ..	2,240 00		
74	St. Patrick's Hospital, do ..	1,120 00		
75	<i>Sœurs de la Providence</i> , do ..	588 00		
76	<i>St. Vincent de Paul</i> Asylum, do ..	315 00		
77	Protestant House of Industry and Refuge, do ..	420 00		
78	Protestant Home for friend- less women, do ..	105 00		
79	St. Patrick's Orphan Asylum, do ..	336 00		
80	The Montreal Maternity, do ..	252 00		
81	Magdalen Asylum ( <i>Bon Pas- teur</i> ), do ..	378 00		
82	Roman Catholic Orphan Asy- lum, do ..	168 00		
83	<i>Sœurs de la Charité</i> , do ..	560 00		
84	do for their found- ling hospital, do ..	105 00		
85	Protestant Orphan Asylum, do ..	336 00		
86	Lying-in Hospital, care <i>Sœurs de la Miséricorde</i> , do ..	383 25		
87	Bonaventure Street Asylum, do ..	225 75		
88	Nazareth Asylum for desti- tute children, do ..	210 00		
89	School for the blind, Nazareth Asylum, do ..	1,390 00		
	Carried over .....	14,132 00	290,000 00	1,531,424 12

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward .....	14,132 00	290,000 00	1,531,424 12
	X.—CHARITIES.—Continued.			
	<i>Miscellaneous</i> :—Continued.			
90	Work-room for the blind, Nazareth Asylum, Montreal..	300 00		
91	Montreal Dispensary, do ..	375 00		
92	Montreal Ladies' Benevolent Society, do ..	637 50		
93	St. Bridget's Asylum, do ..	420 00		
94	Protestant Infants' Home, do ..	210 00		
95	Church Home, do ..	135 00		
96	<i>Hospice de Bethléem</i> , do ..	262 50		
97	<i>Notre-Dame</i> Hospital, do ..	5,000 00		
98	<i>Hôtel-Dieu</i> , do ..	1,050 00		
99	Ladies' Hebrew Benevolent Society, do ..	187 50		
100	<i>Sœurs de la Miséricorde</i> , to- wards keeping foundlings, do ..	375 00		
101	<i>Sœurs de la Providence</i> , cor- ner of St. Catherine and Fullum streets, do ..	150 00		
102	Young Men's Hebrew Bene- volent Society, do ..	187 50		
103	Sheltering Home, do ..	150 00		
104	McKay Institute, do ..	3,000 00		
105	The Montreal Foundling and Infant Nurserv (formerly called Saint Margaret's Nursery) do ..	187 50		
106	<i>Hospice de St. Joseph du Bon Pasteur</i> , do ..	105 00		
	Carried over .....	26,864 50	290,000 00	1,531,424 12

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....	26,864 50	290,000 00	1,531,424 12
	X.—CHARITIES.—Continued.			
	Miscellaneous :—Continued.			
107	Petites Sœurs des Pauvres, Montreal..	70 00		
108	Society of Sisters of St. Margaret, do ..	200 00		
109	The Western Hospital, do ..	262 50		
110	Hervey Institute, do ..	168 00		
111	House of Refuge, Ste. Cunégonde.	300 00		
112	Charitable Ladies' Association of the Roman Catholic Orphan Asylum and Nazareth Asylum, Quebec.●	798 00		
113	Indigent Sick, do ..	2,240 00		
114	Asylum of the Good Shepherd, do ..	750 00		
115	Ladies' Protestant Home, do ..	393 75		
116	Male Orphan Asylum, do ..	220 50		
117	Finlay Asylum, do ..	220 50		
118	Protestant Female Orphan Asylum, do ..	220 50		
119	Saint Bridget's Asylum, do ..	525 00		
120	Dispensary, do ..	105 00		
121	Sisters of Charity, do ..	135 00		
122	do do for widows and infirm persons, do ..	210 00		
123	L'Hotel-Dieu du Sacre-Cœur de Jésus de Québec, do ..	880 00		
124	do do Dispensary, do ..	105 00		
125	do do for Foundlings, do ..	305 00		
126	do do for Epileptics, do ..	187 50		
	Carried over .....	35,160 75	290,000 00	1,531,424 12
2				

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....	35,160 75	290,000 00	1,531,424 12
	X.—CHARITIES.—Continued.			
	Miscellaneous :—Continued.			
127	Women's Christian Association, Quebec..	105 00		
128	Lying-in-Hospital, care of the Ladies of the Good Shep- herd, do ..	1,500 00		
129	Orphan Asylum, care of Sisters of Charity, do ..	250 00		
130	General Hospital, do ..	750 00		
131	<i>L'Œuvre du Patronage</i> , do ..	375 00		
132	Indigent Sick, <i>Asile de la Provi-</i> <i>dence</i> , Three Rivers..	1,600 00		
133	Sisters of Charity, for their Lying-in Hospital, do ..	280 00		
134	General Hospital, Sorel....	490 00		
135	St. Hyacinthe Hospital, St. Hyacinthe	350 00		
136	Hôtel Dieu, Nicolet..	200 00		
137	<i>Sœurs de la Charité</i> , Rimouski.	262 50		
138	Sherbrooke Hospital and Or- phan Asylum, Sherbrooke..	450 00		
139	Protestant Hospital, do ..	300 00		
140	<i>Hôpital St. Joseph de la Déli-</i> <i>vrance</i> , Levis..	210 00		
141	Hôtel-Dieu St. Valier, Chicoutimi..	300 00		
142	Hôtel-Dieu, Arthabaska..	187 50		
143	<i>Hospice Ste. Anne de la Baie</i> <i>St. Paul</i> , for old and in- firm persons and for idiots, Baie St. Paul..	375 00		
	Carried over.....	43,145 75	290,000 0	1,531,424 12

## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....	43,145 75	290,000 00	1,531,424 12
	X.—CHARITIES.—Continued.			
	Miscellaneous :—Continued.			
144	Fraserville Hospital, Fraserville..	400 00		
145	Hospital for Orphans and for the aged and the sick, Valleyfield..	300 00		
146	St. Jérôme Hospital, St. Jérôme..	250 00		
147	Hospice St. Antoine for Orphans, Infirm and Sick, Longueuil..	300 00		
148	Hôpital St. Jean, St. Johns.	140 00		
149	Sisters of Charity, do ..	140 00		
			44,675 75	334,675 75
	XI.—MISCELLANEOUS SERVICES.			
150	Miscellaneous generally.....		20,000 00	
151	Agent in France, salary and allowance for office rent, &c.....		3,000 00	
152	Municipalities' Fund. R.S.Q., art. 2744..		500 00	
153	Provincial Board of Health. R.S.Q., Title 7, cap. 3, sec. 1.....		10,500 00	
154	Towards procuring vaccine, (including \$500 for inspection).....		2,000 00	
155	Quebec Official Gazette.....		13,000 00	
156	Stamps, Licenses, &c.....		10,000 00	
157	Inspection of Railways .....		1,000 00	
158	Night schools.....		12,000 00	
159	Annuity to Mrs. Gaspard Drolet, per Re- solution Legislative Assembly of 3rd February, 1890.....		800 00	
	Carried over.....		72,800 00	1,866,099 87



## SCHEDULE B—Continued

No.	SERVICE.	—	—	Total.
		\$ cts.	\$ cts.	\$ cts.
	Brought forward .....		72,800 00	1,866,099 87
	<i>XI.--MISCELLANEOUS SERVICES—Continued.</i>			
160	Bar of the Province of Quebec : aid towards the publication of Judicial Reports .....		3,000 00	
161	Quebec Industrial Establishments' Act, (57 Vic., cap. 30), formerly Quebec Factories' Act .....		12,000 00	
162	Registrars' salaries and contingencies .....		30,000 00	
163	Special officer, North Coast of the St. Lawrence : Salary and travelling expenses, (O. C. No. 51, of 31st January, 1896)..		1,200 00	
164	Province of Quebec Rifle Association, Montreal .....		200 00	
165	The Imperial Institute, London : share of the Province of Quebec in cost of maintenance of same .....		1,000 00	
166	Belmont Retreat (McKay's Institution) : grant towards .....		500 00	
167	Monument National, Montreal : Aid towards this undertaking controlled by l'Association St-Jean-Baptiste of that city,—(incorporated under 51-52 Vic., cap. 65, as amended by 55-56 Vic., cap. 85.—2nd out of 5 equal payments, subject to the conditions of O. C. No. 187, of 29th May, 1896)....		2,500 00	
				123,200 00
	Total .....			1,989,299 87

## C A P. II

## An Act to authorize a loan for certain sums required for the Public Service

[Assented to 15th January, 1898]

**W**HEREAS it is expedient and necessary to provide for Preamble.  
the payment of the unfunded debt of the Province of Quebec and of the subsidies to which certain railway companies will become entitled ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The Lieutenant-Governor in Council may authorize the Provincial Treasurer to procure money for the purpose of paying the unfunded debt of the Province and railway subsidies, to an amount not exceeding one million, five hundred thousand dollars, by means of debentures or inscribed stock, to be issued on the credit of the Province and to be disposed of, from time to time, as the requirements of the Province may demand. Loan and issue of debentures or inscribed stock authorized.

**2.** All such debentures or inscribed stock shall bear an annual rate of interest not exceeding four per cent per annum, and shall be issued for such amounts, bear such dates and be payable, both as regards principal and interest, at such times and at such places, as the Lieutenant-Governor in Council may determine. Interest on debentures, &c.

**3.** The interest and principal of such debentures or inscribed stock shall be a charge on the consolidated revenue fund of the Province. Principal and interest a charge on consolidated revenue fund.

**4.** The Lieutenant-Governor in Council shall determine the terms upon which the debentures or inscribed stock shall be disposed of ; and the proceeds thereof shall be applied to the payment of the unfunded debt of the Province and to the payment of railway subsidies which may become payable under grants made by the Legislature of the Province. How debentures, &c., to be issued. Application of proceeds.

**5.** All debentures or inscribed stock, issued under the authority of this act, shall be subject to the provisions of the act of this Province 60 Victoria, chapter 2, respecting the public debt. Law applicable.

**6.** This act shall come into force on the day of its sanction. Coming into force.

## CAP. III

An Act to amend the act 60 Victoria, chapter 4, respecting the time within which the works upon certain railways are to be completed

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Time extended for completion of certain railways.

1. The time within which the works upon the Ottawa and Gatineau Valley Railway, the Baie des Chaleurs Railway, Orford Mountain Railway, and the Great Northern Railway, are to be completed is extended to the 31st of December, 1899.

Time extended for completion of certain railway.

2. The time within which the works upon the Pontiac Pacific Junction Railway are to be completed is extended to the 31st of December, 1898.

Coming into force.

3. This act shall come into force on the day of its sanction.

## CAP. IV

An Act respecting the Montreal Exposition Company

[Assented to 15th January, 1898]

Preamble.

WHEREAS, by Order in Council No. 648 of the 20th December, 1889, approved by the act 53 Victoria, chapter 96, section 20, the Commissioner of Agriculture and Colonization was authorized to sign for the Government a deed with the Montreal Exposition Company, in which should be stipulated, among other things, the following;

(a) That the Government should lease to the said Company for eighteen years, at a rent of one dollar per annum, the land known as the Mile End Exhibition Grounds, more fully described in the said Order in Council, and the buildings thereon erected;

(b) That the Company should have the right to purchase, during the next following five years, the said ground and buildings at their real value ascertained by arbitration, and

(c) That, if it should not buy them, the Government should pay it, on the expiring of the lease, the increased value, according to arbitration, which should be given to

the property by the new buildings which it should erect thereon, with the consent of the Government ;

Whereas a contract to that effect was passed on the 17th of October, 1890 ;

Whereas, by a deed of agreement dated the 6th of May, 1895, authorized by the act 58 Victoria, chapter 5, section 2, the Government undertook, in consideration of the abandonment made by the company of its right of purchasing the said immoveable property :

(a) To pay to the company, during thirteen years, from the year 1895, every year that an exhibition should be held, a sum sufficient to indemnify it for any loss sustained by holding such exhibition, but not to exceed \$15,000, while reserving to itself the right to indicate to the company the manner of employing \$2,000 of the \$12,000 which it obliged itself to give in prizes ; and

(b) To pay to the company the value, according to arbitration, of the buildings which it had erected and of the improvements which it had made to the said immoveable property and of those which it should erect thereon and make thereto in the future out of its capital, less the sum of \$25,600, the value, fixed by the arbitrators, of the improvements existing at the time the company took possession of the property ;

Whereas, by another deed of agreement, dated the 10th July, 1896, approved by the act 60 Victoria, chapter 8, section 1, the above mentioned contract of the 6th May, 1895, was modified, and it was among other things stipulated :

(a) That the Government should pay to the Company \$15,000, to indemnify it for the losses incurred by the holding of the exhibition of 1895 ;

(b) That the company should be bound at the request of the Government to consent, within eighteen months thereafter, to a contract by which the Government would engage itself to pay to the company \$13,000 every year that an exhibition should be held, in place of reimbursing it for the losses incurred up to the sum of \$15,000, and

(c) That the Government should be bound to pay only the sum of \$13,000, for each exhibition held during the eighteen months allowed for the execution of the contract ;

Whereas the act 60 Victoria, chapter 8, contained, in addition to the approval of the deed of agreement of the 10th July, 1896, an authorization to the Government to put an end to the contract of the 6th May, 1895, and the agreement afterwards entered into, with the consent of the said company, upon the following conditions, as set forth in the said act :

“(a) The company shall keep the insurance money, to wit, the sum of \$34,000, which it received after the fire in the summer of 1896 ;

"(b) An arbitration to value the buildings shall be held in conformity with the provisions of the said contract of the 6th of May, 1895; but the Government shall in no case be obliged to pay for the said buildings, in consequence of the said arbitration, a sum exceeding \$60,000;

"(c) The Government shall for the future be discharged from the obligation of paying any sum whatever to the company for holding an exhibition;

"(d) The Government may pay the amount fixed by the arbitration, to the extent of \$60,000, on or before the 1st of August, 1897, but such payment shall be made only after deducting the sum of \$25,600 for the value of the buildings existing when the company took possession of the grounds;

"(e) The amount so payable after the said deduction shall be taken out of the price of the sale of the Exhibition grounds; but, if such sale has not taken place on the said 1st of August, or if on the said date the Government has not, out of the sale, drawn sufficient to pay the sum coming to the company, the Government shall pay interest at 4 per cent, for the whole time between the 1st August, 1897, and the 1st January, 1898, and thereafter at 6 per cent until paid;

"(f) The company shall not have any claim, either directly or indirectly, against the Government, for any cause whatever, saving for the sum coming to it under the said arbitration and for the sum of \$13,000, mentioned in the contract ratified by section 1 of this act, for the holding of the Exhibition of 1896";

Whereas the proposed contract mentioned in the deed of the 10th July, 1896, by which the Government would be obliged to pay annually the sum of \$13,000, was never passed;

Whereas the company refuses to become party to the transaction authorized by the act 60 Victoria, chapter 8, section 2, which would put an end to the obligations of the Government towards it, giving as a reason that the limitation to \$60,000 of the sum which might be allowed for improvements was inserted in the said act against its protestations;

Whereas the Government is consequently still bound to carry out the contract approved by the act 58 Victoria, chapter 5, and it may be called upon to supplement for ten years still, up to the sum of \$15,000 yearly, the deficits of the company, and to pay, at the end of the said ten years, the real value of the additional value given to the immovable property by the company, in the manner above mentioned;

Whereas the increase in the expense for exhibitions over the receipts is every year becoming larger, and there is reason to believe that the Government will be called upon, after every exhibition, to pay to the company the

full sum of \$15,000, say for the ten years still to run a sum of \$150,000 ;

Whereas the immediate resiliation of the various contracts between the Government and the company, by the Government reimbursing to the latter the real value of the above mentioned improvements, would free it from the obligation of paying the said sum of \$150,000, whilst not increasing the obligation which it is bound to discharge after the payment of the said sum, if the said contract continued to subsist ;

Whereas, for the said reasons, it is in the public interest that the conditions prescribed by the act 60 Victoria, chapter 8, be modified so that the company may accept the same and consent to the immediate resiliation of the contracts between it and the Government ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. If the Montreal Exposition Company consents thereto, it shall be lawful for the Lieutenant-Governor in Council to resiliate all contracts between the Government and the said company, upon the following conditions :

(a) The company shall keep the insurance money, to wit : the sum of \$34,000, which it drew after the fire which took place in the summer of 1896 ;

(b) An arbitration shall be had for the appraisement of the buildings in conformity with the contract of the 6th of May, 1895 ;

(c) The Government may pay, on or before the 1st of August, 1898, the sum fixed by arbitration, less the sum of \$25,600 coming to the Government for the value of the buildings which existed when the company took possession of the grounds ;

(d) The amount payable to the company shall be taken out of the sale of the said grounds ; but, if such sale has not taken place on the said 1st of August, or if, on the said date, the Government has not, out of the proceeds of the sale, drawn sufficient to pay it, the Government shall pay interest thereon, at 4 per cent for the whole time between the 1st of August, 1898, and the 1st of January, 1899, and, thereafter, at 6 per cent until paid ;

(e) The company shall have no claim, either directly or indirectly, against the Government, except for the amount coming to it under the said arbitration, and, especially, the Government shall be discharged for the future from the obligation of paying any sum whatever to the company by reason of the holding of an exhibition.

2. This act shall come into force on the day of its sanction.

Contracts between Government and Company may be annulled.

Company to retain certain insurance money.

Arbitration to value buildings.

When amount fixed by arbitration to be paid and what sum to be deducted.

Amount to be taken out of purchase price of lands.

Interest, if not paid before certain date.

Company to have no further claim against Government for any sum whatever.

Coming into force.

## CAP. V

## An Act respecting the administration of justice in the district of Quebec

[Assented to 15th January, 1898]

## Preamble.

**W**HEREAS it has been necessary, in the interest of the administration of justice in the district of Quebec, to replace the joint prothonotary of the Superior Court of the said district ;

Whereas, owing to the great age and length of service of the persons who filled that office, it is just to allow them a retiring pension ;

Whereas the order in council No. 6, of the 10th of January, 1898, which, at their request, releases the said persons from their functions, grants them a retiring pension subject to ratification by the Legislature ;

Whereas the pensioning of the persons who filled that office, and their replacing by a single officer, have decreased the expenses, and the said expenses will further decrease as the pensions cease to be paid ;

Whereas it is expedient to ratify the aforesaid order in council, in so far as the pensioning of the retiring officers is concerned ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain order in council retiring certain persons upon pension confirmed.

**1.** The order in council No. 6, of the 10th of January 1898, granting an annual pension, during their life time, of \$2000 to Mr. J. H. R. Burroughs, \$1000 to Mr. L. J. C. Fiset and \$1200 to Mr. Archibald Campbell, is ratified.

Pensions not liable to seizure, &c.

**2.** The said sums shall not be liable to seizure, and shall be payable, each year, out of the consolidated revenue fund, in four equal payments, the first becoming due on the 1st of January, 1898, and the others quarterly thereafter.

Coming into force.

**3.** This act shall come into force on the day of its sanction.

## CAP. VI

An Act respecting the delimitation of the north-western, northern and north-eastern boundaries of the Province of Quebec

[Assented to 15th January, 1898]

**W**HEREAS the act 34-35 Victoria, chapter 28, of the Preamble. Parliament of the United Kingdom of Great Britain and Ireland, intituled: "An act respecting the establishment of Provinces in the Dominion of Canada" enacts that the Parliament of Canada may, from time to time, with the consent of the Legislature of any Province, increase, diminish or otherwise alter the limits of such Province, upon such terms and conditions as may be agreed to by the said Legislature, and may, with the like consent, make provision respecting the effect and operation of any such increase, diminution or alteration of territory;

Whereas it has been agreed, between the Government of Canada and that of this Province, that the north-western, northern and north-eastern limits of the Province of Quebec, should be those hereinafter indicated, and it is expedient to give effect to such agreement;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The Legislature of the Province of Quebec hereby ~~consents~~ <sup>Consent of Legislature to certain boundaries.</sup> that the Parliament of the Dominion of Canada do declare that the north-western, northern and north-eastern limits of the Province of Quebec be the following:

"Commencing at the head of Lake Temiscamingue, thence along the eastern boundary of the Province of Ontario due north to the shore of the part of Hudson Bay commonly known as James Bay, and thence north-easterly following upon the said shore to the mouth of the East Main River, and thence easterly ascending along the middle of the said river up to the confluence of the branch thereof flowing from Patamisk Lake, and thence ascending along the middle of the said branch up to Patamisk Lake, and thence along the middle of the said Lake to the most northerly point thereof, the said point being about fifteen miles south from the Hudson Bay Company's post on Lake Nichigun, and approximately in latitude fifty-two degrees, fifty-five minutes north, and longitude seventy degrees, forty-two minutes west of Greenwich; thence due east along the parallel of latitude of the said point to the intersection of the river discharging the waters of Lake Ashuanipi, which river is known under the names of Hamilton or Ashuanipi or Great Esquimaux River, and thence descending along the middle of the said river through Menihék, Marble, Astray and Dyke Lakes to the most southerly outlet of



Dyke Lake, and thence along the middle of the said outlet to Birch Lake, and thence along the middle of Birch and Sandgirt Lakes to the most southerly outlet of Sandgirt Lake, and thence along the middle of the southern channel of the Hamilton River to Flour Lake, and thence along the middle of Flour Lake to its outlet, and thence along the middle of the Hamilton River to the Bay du Rigolet or Hamilton Inlet, and thence easterly along the middle of the said bay or inlet until it strikes the westerly boundary of the territory under the jurisdiction of Newfoundland, and thence southerly along the said boundary to the point where it strikes the north shore of the Anse Sablon, in the Gulf of St. Lawrence, the said line being shown in red as far as Hamilton Inlet, upon the plan accompanying the copy of the Order of the Governor General in Council No. 2623, dated the 8th July, 1896, transmitted to the Lieutenant-Governor of this Province, and now deposited among the archives of the Provincial Secretary."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## C A P. V I I

An Act to transfer the *chef-lieu* of the county of Bellechasse from St. Michel to St. Raphaël

[Assented to 15th January, 1898]

Preamble.

WHEREAS the corporation of the county of Bellechasse has, by its petition, represented :

That the parish of St. Michel, the present *chef-lieu* of the county of Bellechasse, is situated at the extremity of the county, and that this causes serious inconvenience to the persons residing at the other end of the county ;

That the parish of St. Raphaël is situated in the centre of the said county and is easy of access to all persons interested ;

That the county council of the said county has unanimously established the necessity of changing the *chef-lieu* and has, on division, recommended the parish of St. Raphaël as the new *chef-lieu* ;

Whereas the petitioner has prayed that the latter place be declared the *chef-lieu* of the said county, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

*Chef-lieu* of  
county of Bel-

1. The *chef-lieu* of the county of Bellechasse is transferred for all purposes whatsoever from the parish of St.

Michel in the said county to the parish of St. Raphaël in the same county. lechasse transferred.

2. As soon as a registry office and fire-proof vault shall have been built in the new *chef-lieu* in the manner prescribed by article 514 of the Municipal Code, the Lieutenant-Governor in Council may, by proclamation, establish the registry office for the county of Bellechasse there, and, from and after the date specified in the said proclamation, all registrations for the said county shall be effected at the said new office. Registry office to be also transferred when vault, &c., procured at new *chef-lieu*.

3. This act shall come into force on the day of its sanction. Coming into force.

## CAP. VIII

An Act to erect the parish of Notre Dame du Bon Conseil into a municipality, and to annex it to the county of Drummond, for municipal, school, county, judicial and registration purposes

[Assented to 15th January, 1898]

**WHEREAS** the freehold inhabitants of the parish of Preamble.  
Notre Dame du Bon Conseil, now forming part of the townships of Wendover, Simpson and Horton, in the counties of Nicolet, Drummond and Arthabaska, have by petition represented :

That by letters-patent, issued by the Government of the Province of Quebec on the 7th day of February, 1896, a certain territory described therein, consisting of the dismemberment of part of the parishes of St. Cyrille, Ste. Clothilde, Ste. Brigitte, Ste. Perpetue and St. Leonard, in the townships of Wendover, Simpson and Horton, situated in the counties of Nicolet, Drummond and Arthabaska, was erected into a parish under the name of Notre Dame du Bon Conseil ;

That the said parish contains about one hundred and fifty families making a population of about five hundred souls ;

That the said parish, owing to its peculiar situation in the midst of the above mentioned parishes is in need of uniform administration for the management of its municipal, school, county, registration and judicial matters ;

That it is in the interest of the inhabitants of the said parish that it be erected into a municipality for municipal and school purposes, and that such portions thereof as are now comprised within the counties of Nicolet and Arthabaska be annexed to the county of Drummond for judicial, county and registration purposes ; and whereas the inhabitants

of the said parish have prayed for the passing of an act to that effect and it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Parish erected  
for municipal  
and school  
purposes.

**1.** The Parish of Notre-Dame du Bon Conseil, as erected by letters-patent of the 7th February, 1896, is hereby erected into a municipality for municipal and school purposes.

Certain ter-  
ritory annex-  
ed to county  
of Drummond  
for certain  
purposes.

**2.** The following territory, forming part of the said parish, is annexed to the county of Drummond for judicial, county and registration purposes to wit :

In the county of Nicolet :

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 of the 13th range of the township of Wendover ;

Lots 10 and 11 and that part of lot 12 to the east side of Ste. Perpetue road, in the 10th range of the township of Wendover ;

That part of lots 11 and 12 on the south west side of Nicolet river, in the 11th range of the township of Wendover ;

In the county of Arthabaska :

Lots 1, 2, 3, 4, 5 and 6 of the 11th range of the township of Simpson ;

Lots 1, 2, 3, 4, 5 and 6 of the 12th range of the township of Simpson ;

Lots 2, 3, 4, 5 and B of the 1st range of the township of Horton.

General elec-  
tions for 1898  
when to be  
held.

**3.** The general municipal elections in the parish for the year 1898 shall be held on the third Monday after the coming into force of this act.

Coming into  
force.

**4.** This act shall come into force on the day of its sanction.

## C A P . I X

An Act to render valid certain deeds of transfer of immovables subject to the duty imposed by article 1191a of the Revised Statutes and its amendments.

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain deeds  
if registered  
within cer-

**1.** All deeds transferring immovables, subject to the duty imposed by article 1191a of the Revised Statutes and its amendments, which should have been registered within

thirty days after they were passed, but which are not yet registered, may be registered, and must, on pain of the absolute nullity of such deeds, be so registered and the duty, then exigible, paid within sixty days after the coming into force of this act, and, if so registered, shall become valid.

All such deeds, which have been registered after the payment of the duty exigible, but after the prescribed delays, are declared valid, and shall have the same effect as if they had been registered within the thirty days.

**2.** This act shall not affect pending cases, and shall have no effect if the immovable in question in the said deed, which has not been registered within the delay required by article 1191a of the Revised Statutes, has since become the property of a third party, or has been affected by any right in favor of a third party under a deed which has or has not been registered.

**3.** This act shall come into force on the day of its sanction.

## C A P . X

An Act to ratify certain proceedings in the registry office of the county of Bellechasse

[Assented to 15th January, 1898]

**WHEREAS** Solyme Forgues, after he was relieved from the office of registrar of the county of Bellechasse, on the 23rd of October, 1897, continued to discharge the duties of that office until the entry into office of the present registrar; and whereas such an irregularity might cause serious consequences to the public if not remedied;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** All registrations effected and certificates given, and all other official acts performed by Solyme Forgues, late registrar of the county of Bellechasse, from the 23rd of October, 1897, until the entry into office of the present registrar, Fortunat Belleau, are hereby ratified, confirmed and rendered valid.

**2.** This act shall come into force on the day of its sanction.

## CAP. XI

An Act to authorize the reference, by the Lieutenant-Governor in Council, of certain questions to the Court of Queen's Bench

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

References by Lieutenant-Governor to Court of Queen's Bench, Appeal side.

1. The Lieutenant-Governor in Council may refer to the Court of Queen's Bench, Appeal side, for hearing or consideration, any question whatever which he deems expedient, and thereupon the court shall hear and consider the same.

How opinion of court is given.

2. The court shall transmit to the Lieutenant-Governor in Council for his information, its opinion duly certified upon the questions so referred, giving its reasons in support thereof in like manner as in the case of judgments rendered upon appeals brought before the said court.

Opinion of dissenting judges.

Any judge who differs from the majority shall, in like manner, give his opinion duly certified and his reasons in support thereof.

Parties may be notified and are entitled to be heard.

3. The court may order that any person interested, or if there is a class of persons, any one or more persons as representing that class, be notified of the hearing upon any reference to the court under this act; and such persons are entitled to be heard.

Opinion advisory and not subject to appeal.

4. The opinion of the court upon any question referred to it under this act is advisory only and cannot be appealed from.

Rules of practice to be made.

5. The majority of the judges of the Court of Queen's Bench may make the rules of practice necessary for carrying out the provisions of this act.

Days for hearing to be fixed.

The chief-justice of the Court of Queen's Bench, or if he is absent or sick, any other judge of that court, may fix any day or days, in or out of term, for the hearing, consideration and decision of the questions referred under the authority of this act.

Coming into force.

6. This act shall come into force on the day of its sanction.

CAP. XII

An Act to amend the law respecting the immunities and privileges of both Houses of the Legislature

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 128 of the Revised Statutes is amended by adding thereto, after the word "House," in the sixth line, the words : "or any of its committees."

CAP. XIII

An Act to further amend the Quebec Election Act, 1895

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 157 of the Quebec Election Act, 1895, as amended by the act 60 Victoria, chapter 21, section 28, further amended by replacing the words and figures "1, 2, 4, 11, 12 and 13," in the seventh line, by the words and figures "1, 2, 4 and 11."

2. The form of oath contained in article 157 of the said act, as amended by the said act 60 Victoria, chapter 21, section 29, is further amended by repealing paragraphs 12 and 13 thereof.

## CAP. XIV

## An Act to amend the Quebec License Law

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**R. S., 828, § 40, repealed.**      **1.** Paragraph 40, added to article 828 of the Revised Statutes by the act 60 Victoria, chapter 23, section 1, is repealed.

**R. S., 843, § 5, replaced.**      **2.** Paragraph 5 of article 843 of the Revised Statutes is replaced by the following :

**How applica-  
tion to be  
taken into  
consideration  
and when.**      “5. The competent authorities must take the applications for licenses into consideration according to the date of their inscription on the said list by the clerk, but not before twenty-one days after the date of such inscription.”

**R. S., 843, § 7a, amended.**      **3.** Paragraph 7a of the said article 843 of the Revised Statutes, as enacted by the act 59 Victoria, chapter 14, section 6, is amended by adding thereto the following words : “and to every accredited representative of the incorporated associations of hotel-keepers and of licensed victuallers.”

**R. S., 843, § 8, amended.**      **4.** The first clause of paragraph 8 of the said article 843 of the Revised Statutes, as amended by the act 57 Victoria, chapter 13, section 6, is replaced by the following :

**Hearing.**      “8. The competent authorities shall hear him, as well as the applicant, within eight days of the production of the opposition, and, if necessary, adjourn the hearing from day to day until a decision is rendered upon the said opposition.”

**R. S., 858, replaced.**      **5.** Article 858 of the Revised Statutes is replaced by the following :

**Railway buffet and watering place licenses.**      “**858.** Upon a petition presented by any railway company, or any inland navigation company, the Lieutenant-Governor in Council may authorize the collector of provincial revenue, to whom it appertains, to deliver to the person indicated a license to sell intoxicating liquors, at the railway station therein mentioned by such railway company, or at any summer hotel situate at any watering place in this province, belonging to the said navigation company and kept by it, to travellers upon such railway or to persons boarding at such hotels, and to none others.”

**R. S., 877, amended.**      **6.** Article 877 of the Revised Statutes is amended by adding thereto the following :

"All the provisions of this section which relate to cir- Application  
cuses apply equally to organizations known as Wild West of law to cer-  
Shows and the like." tain shows.

7. Paragraph 12 of article 878, as replaced by the act 54 R. S., 878,  
Victoria, chapter 13, section 12, is again replaced by the § 12, replaced.  
following :

"12. On each license to keep a temperance hotel : Temperance  
In the city of Montreal, fifty dollars ; hotel licenses.  
In any other organized territory, ten dollars ;  
In non-organized territory, five dollars."

8. Paragraph 18 of the said article 878 of the Revised R. S., 878,  
Statutes, as replaced by the act 54 Victoria, chapter 13, sec- § 18, replaced.  
tion 12, and amended by the act 55-56 Victoria, chapter 11,  
section 16, is replaced by the following :

"18. On each license for a pedlar, fifty dollars." Pedlars' li-  
censes-

9. Article 886 of the Revised Statutes is amended by R. S., 886,  
adding thereto the following : amended.

"In cases in which there is no communication from Valuation of  
within between the parts of a building used for the purposes premises for  
of the license and the parts of the same building used for purposes of  
other purposes, the valuation shall include only those parts of license.  
the building which are intended to be used for the purposes  
of the license."

10. Article 907 of the Revised Statutes, as replaced by the R. S., 907,  
act 54 Victoria, chapter 13, section 20, is amended by re-amended.  
placing all the words after : "sale" in the ninth line, by the  
words : "and the revenue police constables are authorized to  
seize such intoxicating liquors without having a warrant."

11. The following article is added after article 921a of Art. added  
the Revised Statutes, as enacted by the act 54 Victoria, chap- after R. S.,  
ter 13, section 23 : 921a.

"921b. Prosecutions for the illicit sale of intoxicating Defendants in  
liquors in clubs licensed under article 857 may be taken suits for illicit  
either against the manager of the club or the actual vendor sale of intoxi-  
of the liquor, or against the club as a body corporate ; in cating liquor  
the latter case the judgment shall, in default of payment of in clubs.  
the penalty, be executed as provided by article 1064."

12. Article 925c of the Revised Statutes, as enacted by R. S., 925c,  
the act 56 Victoria, chapter 16, section 11, is replaced by replaced.  
the following :

"925c. Any person, whether he be or be not licensed to Penalty on  
sell intoxicating liquors, who sells such liquors, representing persons sell-  
ing &c., is-



toxicants as  
non intoxi-  
cant.

them as not being intoxicating, or who sells or exposes for sale intoxicating liquors in bottles or other vessels labelled or marked as containing unintoxicating liquors, shall incur the penalties prescribed in article 926."

R. S., 994,  
amended.

**13.** Article 994 of the Revised Statutes, as replaced by the act 58 Victoria, chapter 14, section 14, and amended by the act 59 Victoria, chapter 14, section 25, is further amended by adding thereto the following: "or such collector or person may, at his option, seize the goods and wares found in the possession of such pedlar, subject to the confirmation of such seizure by the court, without arresting the pedlar; and the goods and wares so seized shall, under such confirmation of the court, be sold as provided in article 993."

R. S., 995,  
amended.

**14.** Article 995 of the Revised Statutes, as replaced by the act 58 Victoria, chapter 14, section 15, is amended by adding after the words: "peace officer," in the fourth line, the following words: "or to any person to whom he offers goods for sale."

R. S., 1038,  
amended.

**15.** Article 1038 of the Revised Statutes, as amended by the act 52 Victoria, chapter 15, section 11, is further amended by adding, after the word: "revenue," in the fourth line, the words: "to prevent collusion between the parties to the action."

R. S., 1048,  
amended.

**16.** Article 1048 of the Revised Statutes is amended by adding thereto the following:

Examination  
of certain per-  
son as wit-  
nesses.

"In every prosecution brought against a person licensed under this section, the defendant may, however, be examined as a witness for the defence."

R. S., 1071,  
amended.

**17.** Article 1071 of the Revised Statutes is amended by replacing the words; "in case the fine," in the first line, by the words: "in the case of a first offence, if the fine".

Coming into  
force.

**18.** This act shall come into force on the day of its sanction.

## CAP. XV

An Act to amend the law respecting taxes upon commercial corporations and companies

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 1148 of the Revised Statutes, as enacted by the R. S., 1148, act 59 Victoria, chapter 15, section 1, is amended : amended.

(a) By inserting, after the word : "statement," in the sixth line, the words : "sworn to by an officer or agent of the company," ;

(b) By inserting, after the word : "report," in the nineteenth line, the words : "under oath,".

2. This act shall come into force on the day of its sanction. Coming into force.

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CAP. XVI

An Act to amend article 1643 of the Revised Statutes respecting agricultural societies

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S., 1643, amended.

1. Article 1643 of the Revised Statutes is amended by adding thereto the following words : "without having power to prevent such societies from holding annual exhibitions, if they so desire."

Coming into force.

2. This act shall come into force on the day of its sanction.

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## CAP. XVII

An Act to further amend the law respecting farmers' clubs

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S., 1670, replaced. **1.** Article 1670 of the Revised Statutes, as replaced by the act 56 Victoria, chapter 20, section 7, is again replaced by the following :

Grants to societies in certain cases. **"1670.** If two societies, organized in one and the same county, raise together a sum exceeding eighty dollars, the grant shall be divided between them in proportion to the amount subscribed and paid by each ; and, if, on the first day of September of any year or in the following thirty days, only one of the said societies have acted in conformity with the preceding article, it shall have the exclusive right to the entire grant in proportion to the sum subscribed by the members, provided always that, when any one of the societies shall have raised a sum sufficient to entitle it to half the grant, the said half shall be paid to it, without any deduction being made, even when the other society shall have raised a larger amount of subscriptions."

R. S., 1675c, amended. **2.** Article 1675c of the Revised Statutes, as enacted by the act 56 Victoria, chapter 20, section 10, and amended by the act 57 Victoria, chapter 18, section 1, is again amended by striking out the fourth clause thereof.

R. S., 1675w, replaced. **3.** Article 1675w of the Revised Statutes, as enacted by the act 56 Victoria, chapter 20, section 10, is replaced by the following :

When meetings for lectures to be held. **"1675w.** The directors shall, whenever the Commissioner of Agriculture deems expedient, convene a general meeting of the members of such club, at which lectures on agriculture shall be given.

Public to be admitted. The public shall be admitted to such lectures.

Grant taken away if not held. In default of holding such meetings when required by the Commissioner of Agriculture, the provincial grant may be taken away.

Report to Commissioner. During the fifteen days following such meeting, the president and secretary shall sign and transmit to the Commissioner of Agriculture a report setting forth the date of the meeting, the name of the lecturer or lecturers, the subjects dealt with and the approximate number of persons present."

4. Article 1675ii of the Revised Statutes, as enacted by R. S., 1675ii, the act 56 Victoria, chapter 20, section 10, and amended by replaced. the act 57 Victoria, chapter 19, section 1, is replaced by the following:

"1675ii. Each club is entitled to an annual grant of Grants to fifty cents per member, taken from the sum of fifty thousand dollars devoted by article 1667 to the payment of clubs. grants to agricultural societies; and every member is further entitled to receive the *Journal of Agriculture and Horticulture*.

Nevertheless, no club shall receive in one year less than twenty-five nor more than fifty dollars, in addition to the *Journal of Agriculture and Horticulture*." Maximum and minimum grant.

5. Article 1675jj of the Revised Statutes, as enacted by R. S., 1675jj, the act 56 Victoria, chapter 20, section 10, is repealed. repealed.

6. Article 1675mm of the Revised Statutes, as enacted R. S., by the act 56 Victoria, chapter 20, section 10, and amended 1675mm, repealed. by the act 58 Victoria, chapter 24, section 2, is repealed.

7. Article 1675nn of the Revised Statutes, as enacted R. S., 1675nn, by the act 56 Victoria, chapter 20, section 10, is amended, amended. by striking out all the words after the word: "Commissioner," in the third line.

8. Article 1675vv of the Revised Statutes, as enacted by R. S., 1675vv, the act 57 Victoria, chapter 19, section 2, is amended, by amended. striking out the second paragraph thereof.

9. Article 1675ww of the Revised Statutes, as enacted by R. S., the act 57 Victoria, chapter 19, section 2, is amended, by 1675ww, amended. replacing the words: "which form the basis of the amount of the grant to which it is entitled," by the words: "paid by its members."

10. This act shall come into force on the day of its sanc Coming into tion. force.

## CAP. XVIII

## An Act to amend the law respecting education

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S., 2035a,  
amended.

**1.** Article 2035a of the Revised Statutes, as enacted by the act 56 Victoria, chapter 23, section 1, and amended by the act 58 Victoria, chapter 25, section 4, is further amended by replacing the words : " or town " in the first line, by the words : " town or incorporated village. "

## CAP. XIX

## An Act concerning the jurisdiction of the Superior Court with regard to the counties of Berthier and Verchères

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

53 V., c. 5,  
ss. 1 and 2 ;  
60 V., c. 29,  
ss. 1, 2 and 3,  
repealed.

**1.** Sections 1 and 2 of the act 53 Victoria, chapter 5, and sections 1, 2 and 3 of the act 60 Victoria, chapter 29, are repealed.

Berthier in  
Joliette.

**2.** The county of Berthier shall form part of the district of Joliette for judicial purposes.

Verchères in  
Richelieu.

**3.** The county of Verchères shall form part of the district of Richelieu for judicial purposes.

R. S., 70,  
amended.

**4.** The table contained in article 70 of the Revised Statutes is modified accordingly.

Arts. added  
after R. S.,  
2330a.

**5.** The following articles are added after article 2330a of the Revised Statutes, as enacted by the act 52 Victoria, chapter 28, section 1 :

Concurrent  
jurisdiction  
of Court in  
Richelieu  
over county  
of Berthier.

**" 2330b.** The Court in the district of Richelieu has concurrent jurisdiction over the county of Berthier with the Court in the district of Joliette.

Such concurrent jurisdiction extends to each of the officers of the said court.

"**2330c.** The Court in the district of Montreal has concurrent jurisdiction over the county of Vercheres with the Court in the district of Richelieu.

Such concurrent jurisdiction extends to each of the officers of the said court."

Concurrent jurisdiction of Court in Montreal over county of Vercheres.

**6.** The following articles are added after article 2340a of the Revised Statutes, as enacted by the act 52 Victoria, chapter 28, section 2 :

Arts. added after R. S., 2340a.

"**2340b.** The Court in the district of Montreal has concurrent jurisdiction over the county of Vercheres with the Court in the district of Richelieu.

Such concurrent jurisdiction extends to each of the officers of the said court.

Concurrent jurisdiction of Court in Montreal over county of Vercheres.

"**2340c.** The Court in the district of Berthier has exclusive jurisdiction over all cases in the Circuit Court for the county of Berthier."

Exclusive jurisdiction of Court in Berthier over county of Berthier. Pending cases, &c.

**7.** The causes and proceedings commenced and pending at the coming into force of this act shall continue, and the judgments in such matters, as well as those already obtained, shall be executed, as if this act had not been passed.

**8.** This act shall come into force on the day of its sanction.

Coming into force.

## C A P. X X

An Act to amend the law respecting the Court of Review, the Superior Court and the Circuit Court

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Article 2321 of the Revised Statutes is amended by adding thereto the following :

R. S., 2321, amended.

"The three judges of the Court of Review are, however, taken from all the judges of the Superior Court of the Province, at the discretion of the chief-justice or acting chief-justice, as the case may be."

Composition of Court of Review.

**2.** Paragraph 1 of article 2332 of the Revised Statutes is amended by replacing all the words after the word "Quebec," in the first line by the following: "except the juridical days fixed for sittings in review and all Saturdays, every

R. S., 2332, amended.

juridical day of the months of February, March, April, May, June, October and November, the juridical days of the months of January and September following the ninth of each of the said months, and the juridical days of the month of December preceding the twenty-first of the said month, are term days."

R. S., 2351,  
amended.

3. Article 2351 of the Revised Statutes is amended by replacing all the words after the word "Quebec," in the first line, by the following: "except the juridical days fixed for sittings in review and all Saturdays, every juridical day of the months of February, March, April, May, June, October and November, the juridical days of the months of January and September following the ninth of each of the said months, and the juridical days of the month of December preceding the twenty-first of the said month, are term days."

Coming into  
force,

4. This act shall come into force on the day of its sanction.

## C A P. X X I

An Act to amend the law respecting the holding of the terms of the Court of Queen's Bench, Crown side

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

R. S., 2458,  
replaced.

1. Article 2458 of the Revised Statutes is replaced by the following:

Terms of the  
Court outside  
Quebec and  
Montreal.

"2458. One term of the Court of Queen's Bench in the exercise of its jurisdiction in criminal matters, for taking cognizance of all crimes or criminal offences, is held each year in each district of the Province, except in the districts of Quebec and Montreal.

Date how fixed.

The Lieutenant-Governor, by proclamation, fixes the date of such term."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CAP. XXII

An Act respecting the tariffs applicable to certain cases before the Circuit Court of the district of Montreal

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 2544r of the Revised Statutes, as enacted by R. S., 2544r, the act 57 Victoria, chapter 25, is repealed ; and, in the cases <sup>repealed.</sup> to which it applied, the costs, fees and disbursements shall be those fixed by the tariffs applicable to proceedings in such cases at the time of the coming into force of the act 56 Victoria, chapter 25, or by any tariffs which shall be, from time to time, established by the Lieutenant-Governor in Council, under the provisions of article 2710 of the Revised Statutes. <sup>Proviso for costs, &c.</sup>

## CAP. XXIII

An Act to further amend the law respecting constables' fees

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 2593 of the Revised Statutes, as amended by R. S., 2593, the act 60 Victoria, chapter 36, section 1, and the schedule to <sup>replaced.</sup> the said article, are replaced as follows :

“ **2593.** In the case of indictable offences in which the accused is committed for trial, any justice of the peace, who has ordered the arrest of such person, or any justice of the peace of the territorial division, wherein, according to the warrant, the offence has been committed, may, after having received the certificate of the justice of the peace who held the preliminary investigation establishing that the accused has been committed for trial, and after having established, according to the tariff in force, the sum which should be paid to the high constable or to the constable or other person for having arrested the accused and conveyed him to gaol, address to the sheriff of the territorial division in which it is alleged that the offence was committed, an order in conformity with the following schedule, commanding such sheriff to pay to the said high constable, or constable or other person, the sum so established, and, on presentation of such order, the sheriff shall pay the amount thereof. <sup>Constables' expenses in certain cases how taxed and paid.</sup>



SCHEDULE.

PROVINCE OF QUEBEC. }

To (*name of the sheriff*)

Sheriff of the district of

Whereas A. B. (*name of the high constable or constable or other person,*) has laid before me, one of the justices of the peace for the district of , the certificate hereunto annexed of C. D , justice of the peace for the district of , and whereas I have ascertained that, according to the tariff now in force, the said A. B. is entitled to the sum of , for having arrested and conveyed E. F. (*name of the accused*) to the gaol of the said district; these presents are therefore to command you as sheriff of the said district of , to pay to the said A. B. the said sum of .

And for making the said payment this shall be you sufficient warrant.

Dated at this day of 18

L. M  
J. P."

CAP. XXIV

An Act to amend the law respecting certain officers of justice

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. added  
after R. S.,  
2702.

1. The following article is added after article 2702 of the Revised Statutes :

Certain officers of justice may be placed on salary.

" 2702a. The Lieutenant-Governor in Council may, when he deems it advisable, place upon a fixed salary one or more of the officers of justice mentioned in the preceding article, in one or more of the districts therein mentioned, and appoint, also at a fixed salary, the deputies of such officers and the necessary clerks, no salary to exceed two thousand five hundred dollars annually.

Salaries how payable.

Such salaries shall be payable out of the officers of justice fee fund of the district in which such officers are appointed, and together they shall not exceed the amount of such fund.

The officers of justice to whom deputies and clerks have been appointed by order in council, are relieved from the obligation, enacted by these Revised Statutes, of appointing any.”

Appointment of deputies by such officers not thereafter required.

2. This act shall come into force on the day of its sanction.

Coming into force.

## CAP. XXV

An Act to amend the law respecting cemeteries and interments and disinterments

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 3372*b* of the Revised Statutes, as enacted by the act 59 Victoria, chapter 28, section 1, is amended by adding, after the word : “Quebec,” in the eighth line, the following words : “and if it is determined, by the Board of Health, that it is impossible to render the same suitable by drainage or otherwise.”

R. S., 3372*b* amended.

2. This act shall not apply to pending cases and shall have no retroactive effect.

Pending cases, &c.

3. This act shall come into force on the day of its sanction.

Coming into force.

## CAP. XXVI

An Act to further amend the law respecting the construction and repair of churches and parsonages and the opening and maintenance of cemeteries

[Assented to 15th January, 1898.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The clause added to article 3414 of the Revised Statutes by the act 53 Victoria, chapter 42, section 1, is amended by replacing the word : “twelve,” in the second line, by the word : “fifty.”

R. S., 3414, amended.

2. This act shall come into force on the day of its sanction.

Coming into force.

## CAP. XXVII

## An Act to amend the law respecting the Bar

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

R. S., 3523,  
amended.

1. Article 3523 of the Revised Statutes, as amended by section 2 of the act 58 Victoria, chapter 36, is further amended by adding the following clauses thereto:

Power to  
summon wit-  
nesses, &c. ;

"In the exercise of its functions, the council may summon witnesses, and has all the powers possessed by the Superior Court for compelling them to attend and answer and for punishing them in case of refusal. Any member of the council has the right to swear the parties and the witnesses and to make them declare or solemnly affirm that they will sincerely and truly tell the truth.

To swear  
them, &c.

Costs.

The council may, in its discretion, condemn either party to costs or apportion the same.

Complaints to  
be under  
oath.

Every complaint against a member of the Bar shall be made under oath taken before the syndic and, in his default, before the bâtonnier or the secretary of the Bar of the district where it is laid."

R. S., 3527,  
amended.

2. Article 3527 of the Revised Statutes, as amended by section 3 of the act 58 Victoria, chapter 36, is further amended by adding the following paragraphs thereto:

Appeals to  
general coun-  
cil.

"An appeal to the general council shall lie only when it shall appear on the face of the complaint, decision or sentence that the council had no right to investigate or decide. No appeal lies to the courts from decisions rendered by the councils of sections.

No appeal to  
courts.

Deposit re-  
quired with  
notice of ap-  
peal.

The appellant shall deposit, with his notice of appeal, a sum of fifty dollars to contribute towards the cost of the meeting of the general council. If he succeed in his appeal this sum is repaid to him, and the losing party is condemned to pay it to the Bar of the Province. If the losing party be an advocate he becomes disqualified from practising his profession until he has paid the same. If the losing party be not an advocate the said sum is recoverable by execution obtained from the Superior Court on the *fiat* of the secretary-treasurer of the general council, to which shall be annexed a copy of the judgment condemning the party to pay such sum.

Recovery of  
costs in cer-  
tain cases.

If deposit not  
made.

If the sum of fifty dollars be not remitted by the appellant with his letter containing the notice of appeal within the required delay, the general council shall not be convened and the decision of the council of the section shall be carried out."

**3.** Article 3539 of the Revised Statutes is amended by replacing the first paragraph by the following : R. S., 3539,  
amended.

**" 3539.** Every member of the profession pays annually Bar fees. and in advance, before the first of May, into the hands of the treasurer of the section to which he belongs, the sum of six dollars if he has an office at the *chef-lieu* of the section although he does not reside there and has an office elsewhere ; three dollars if he has an office outside of such *chef-lieu* without having one at the latter place ; one dollar if he is a member of a library association."

**4.** Article 3561 of the Revised Statutes is amended by adding the following paragraph after paragraph 4 : R. S., 3561,  
amended.

**" 5.** Every advocate who, while being disqualified under the provisions of this chapter or of the regulations of the Bar of this Province, practises such profession, directly, or indirectly, either alone or jointly with a qualified advocate, is liable, in addition to the disciplinary penalties, to the fine imposed upon every person who practises the profession without being the holder of a diploma as advocate ; such fine is recoverable with costs in the usual manner. " Penalty on  
disqualified  
advocate  
practising.  
  
Recovery of  
fine.

**5.** Article 3562a of the Revised Statutes, as enacted by the act 54 Victoria, chapter 32, section 1, is amended by replacing the first three paragraphs by the following : R. S., 3562a,  
amended.

**" 3562a.** Whoever, without holding a diploma as advocate, solicitor, attorney and barrister under the laws of Lower Canada or of this Province. Penalty on  
person not  
being advocate  
practising,  
&c.

(a) Practises as an advocate, or

(b) Usurps the functions of the profession, or

(c) Does or claims to do any act connected therewith, or

(d) Assumes the title of advocate, or

(e) Advertizes himself as such, or

(f) Acts in such manner as to lead to the belief that he is authorized to fulfil the office of or to act as an advocate, shall be liable to a fine of not less than twenty-five and not more than sixty dollars.

The following are deemed to be acting in such manner as to lead to the belief that they are authorized to fulfil the office and to act as advocate and are consequently liable to the fine aforesaid namely : every person not holding a diploma as aforesaid or every association, company or corporation that writes or sends any card, letter or circular asking for the payment of any sum with costs or with an intimation to the effect that legal proceedings will be taken to recover the same, or advertizes that he or it will undertake to institute or have legal proceedings instituted or obtain or cause to be obtained or execute or cause a judgment to be executed against a debtor. Who are to  
be deemed to  
come within  
these provisions.

Not to apply to creditors.

This article shall not apply to a creditor who writes to his debtor.

Persons and corporations who are deemed to practise illegally.

Every person who has been disqualified or has become incapable of practising the profession of advocate under the law respecting the Bar of this province, or every association, company or corporation which joins with an advocate in the practice of his profession or shares in his fees or has the same transferred to him or to it, in consideration of being promised cases, a salary or remuneration, is considered as illegally practising as an advocate and is liable to the above fine.

Fine how recoverable.

In any of the above cases, the fine is recoverable with costs by summary process, either before the Superior or Circuit Court according to the amount of the condemnation demanded, or before two justices of the peace or any other officer having the same powers, of the district where the offence has been committed.

Imprisonment in default of payment.

In default of immediate payment of the fine and costs, the party condemned shall be imprisoned for three months. Such imprisonment shall cease, however, upon payment of the fine and costs and of all the expenses occasioned by the imprisonment.

To cease on payment.

Levy of fine and costs against companies, &c.

If the condemnation be pronounced against any association, company or corporation, the fine with costs shall be recoverable by the seizure and sale of its moveables and immoveables according to the usual rules for the execution of judgments of the court pronouncing the condemnation.

Application of fine.

Every fine imposed belongs wholly to the Bar of the district in which the offence has been committed and shall be remitted without delay to its treasurer by the officer who collects the same.

When and how prosecution brought.

Every prosecution under this article must be taken by the Bar of the district in which the offence was committed, under the direction and upon a resolution of its council, without its being necessary to have a sworn information or complaint or the deposition required for *qui tam* actions.

Law applicable.

In proceedings before two justices of the peace or any other officer having the same powers, all the provisions of the Criminal Code respecting summary convictions, not inconsistent with those of the present act, shall apply."

Art. added after R. S., 3567.

**6.** The following article is added after article 3567 of the Revised Statutes :

Publication of annual roll of disqualified persons.

"**3567a.** For the more effectual application of article 3568 of these Revised Statutes, the sections of the Bar shall annually publish an official roll, certified by the treasurer, of the disqualified members of their section.

Who shall be struck from roll.

**2.** The following persons shall be excepted or struck from such roll :

(a.) Those who have complied with the requirements of article 3540 of these Revised Statutes ;

(b.) Those who come under the application of article 3564, paragraph 1, of these Revised Statutes.

3. Such roll shall be printed and published by the secretary at the same time that the roll of advocates is published and shall be distributed and posted up by the said section in accordance with article 3566 of these Revised Statutes.

4. The following shall be entered on such roll :

The names of the advocates who have been suspended or struck from the roll of advocates during the year. " Who shall be entered on roll.

7. This act shall come into force on the day of its sanction. Coming into force.

## CAP. XXVIII

### An Act to amend the Notarial Code

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 3757 of the Revised Statutes is replaced by the following : R. S., 3757, replaced.

" **3757.** The treasurer, before acting as such gives security for the sum of four thousand dollars, by means of a guarantee policy which shall be previously approved by the Board." Security to be furnished by treasurer.

2. Article 3786 of the Revised Statutes is amended by replacing the word : " May," in the third line, by the word : " September." R. S., 3786, amended.

3. Article 3792 of the Revised Statutes is amended by adding thereto the following paragraph : R. S., 3792, amended.

" The Board of Notaries may, by by-law, order that such fourth part shall contain only the list of *greffes* which have been deposited since the preparation of the last table." Certain *greffes* only may be entered in fourth part.

4. Article 3810 of the Revised Statutes is amended by replacing the words : " to the Board," in the second line, by the words " to the treasurer." R. S. 3810, amended.

R. S. 3812,  
amended.

5. Article 3812 of the Revised Statutes is amended by adding, after the word, : "payment," in the second line, the words : "to the treasurer."

R. S. 3830,  
amended.

6. Article 3830 of the Revised Statutes is amended by adding, after the word : "payment," in the second line, the words : "to the treasurer."

Coming into  
force.

7. This act shall come into force on the day of its sanction.

## C A P. X X I X

### An Act to amend the law respecting Anatomy

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S. 3960,  
amended.

1. Article 3960 of the Revised Statutes is amended by adding thereto the following :

Holding of  
*post-mortem*  
examination.

"When it is important that the cause of death be clearly and satisfactorily determined, the superintendent of any institution to which the anatomy act applies, may, in the case of the death of a patient supported by such institution, order a *post-mortem* examination of the body ; provided always that nothing in this clause shall be interpreted against the provisions of the anatomy act."

## C A P. X X X

### An Act to amend the law respecting Physicians and Surgeons

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S. 3972,  
amended.

1. Article 3972 of the Revised Statutes is amended :

(a) By replacing the word : "forty," in the second line, by the word : "forty-two" ;

(b) By replacing the word: "nineteen," in the sixth line, by the word: "twenty-one";

(c) By replacing the word: "ten," in the thirteenth and sixteenth lines, by the word: "twelve."

**2.** Article 3987 of the Revised Statutes is amended by adding thereto the following words: "Such certificate shall be registered in the register of the registrar, and the Council of Discipline may annul the same if well founded complaints are made against the person who had obtained it." R. S. 3987,  
amended.

**3.** The following paragraph and articles are added after article 3997 of the Revised Statutes: Par. and arts,  
added after  
R. S. 3997.

" § 3a. — *Council of Discipline.*

I.—ORGANIZATION OF THE COUNCIL.

" **3997a.** The Board of Governors may form a council, called: 'Council of Discipline,' of four governors selected by the board. Council of Dis-  
cipline.

The president of the board shall in addition form *de jure* part of the Council. Ex-officio  
member.

" **3997b.** The Council is entrusted with trying, hearing and deciding all accusations or complaints brought against a member of the college for any infringement of his professional duties or for acts derogatory to the honor of the profession. Powers of  
Council of Dis-  
cipline.

" **3997c.** The quorum of the Council of Discipline is three. Quorum.

The president of the Board of Governors is *de jure* chairman, and the secretaries of the board act as clerks *ex-officio*. Chairman and  
secretaries.

" **3997d.** The powers of the members of the Council expire at the general meeting held for the election of the Board of Governors following their appointment, but the Council may, notwithstanding the expiry of its powers, render judgment upon any complaint which it has heard upon the merits. Duration of  
powers, &c.

" **3997e.** The Council shall sit at Quebec or Montreal, whenever it is so required by the chairman or by two members. Meetings of  
Council when  
and where  
held,

The secretary of the place where the Council meets acts as clerk. Who acts as  
secretary.



Regulations  
by Board of  
Governors  
respecting  
Council.

" **3997f.** The Board of Governors is authorized to make regulations to define the manner of convening the Council, and all other regulations concerned with the exercise of the powers of the Council, provided such by-laws shall not in any wise restrict the right of the members of the corporation to practise their profession with a philanthropical and charitable object for the members of benevolent and mutual benefit associations and the charitable institutions of the Province ; but such regulations do not come into force until after they have been approved by the Lieutenant-Governor in Council.

#### II.—PROCEEDINGS UPON COMPLAINTS.

Complaints  
&c., proceed-  
ings thereon.

" **3997g.** Complaints do not require to be drawn up in any special form, and, in the exercise of the powers conferred upon it, the Council may have recourse to all the means which it deems suitable to investigate the facts to be proved and to permit the accused to defend himself.

Power of per-  
son presiding  
to swear wit-  
nesses, &c.

" **3997h.** The person who presides may swear the parties and their witnesses, and the Board may compel them to appear and to answer under oath, and punish them by fine in case of refusal, and as regards such objects, it possesses generally all powers of the Superior Court.

Decision.

" **3997i.** The decision of the Council is rendered by the majority of the members sitting.

Punishments  
that may be  
inflicted.

" **3997j.** If the Council find the accusation brought to be well-founded it may, according to the gravity of the case, condemn the accused to one of the following punishments :

1. Censure ;
2. Deprivation of the right to be elected to the office of Governor of the College, and even of the right of voting at elections of Governors of the College, for a certain time ;
3. Deprivation, for a certain limited and definite time, of the right to practise his profession.

Costs.

" **3997k.** The Council may condemn to such costs as it deems expedient the unsuccessful party or divide such costs and, in addition, may condemn such party to pay to the successful party a sum intended to indemnify him for his personal expenses incurred respecting the complaint.

#### III.—APPEALS.

Appeal to  
Board of Gov-  
ernors.

" **3997l.** Every decision or judgment of the Council of Discipline which imposes one of the disciplinary punish-

ments enumerated in article 3997j is subject to appeal to the Board of Governors.

Such appeal is made by letter containing a copy of the decision, addressed within fifteen days after the same is rendered to one of the secretaries of the Board. How taken.

Upon receipt of such notice, the secretary of the Board of Governors of the place where the next meeting of the Board is to be held, is bound to cause the record in the matter to be sent to him, and to keep it to lay it before the Board of Governors at its next meeting. Secretary's duty there-upon.

"**3997m.** The Board of Governors decides the appeal in a summary manner, at its earliest meeting after the receipt of the notice of appeal by the secretary. Proceedings on appeal.

No other evidence than that adduced before the Council of Discipline can be admitted on the appeal. Evidence.

The Board of Governors may, however, hear the complainant and the accused or their counsel. Hearing of parties.

"**3997n.** The Board of Governors may confirm the decision of the Council or pronounce the judgment it should have rendered, and, in either case, decide, as it may deem equitable, as well upon the costs of the first instance as of those in appeal. Power of Board of Governors on appeal.

"**3997o.** The decision of the Council of Discipline, if not appealed from within the required delays, and, in case of appeal, that of the Board of Governors, are final. Decision of Council final if not appealed from.

#### IV.—EXECUTION OF JUDGMENTS.

"**3997p.** In default of any party paying the costs to which he has been condemned, and in default of payment of the fine by a witness condemned to pay such fine, within fifteen days after the decision of the Council of Discipline, if there has been no appeal, or of the Board of Governors, if an appeal has been taken, the party to whom such costs are due may obtain from the Superior Court of the district in which the complaint was made an execution against the moveables and immoveables of the person condemned to pay the same, by depositing in the office of the prothonotary a detailed statement of such costs duly certified by one of the secretaries of the Board, with a copy, certified in the same manner, of the judgment adjudicating upon the costs. Execution for fine and costs if not paid.

If the costs do not reach forty dollars no execution against immoveables can be issued."

**4.** Article 3998 of the Revised Statutes is amended by adding after the words: "such delay," at the end of the seventh clause, the words: "or by a prosecution before a R. S., 3998, amended.

justice of the peace, in conformity with the provisions of Part LVIII of the Criminal Code, 1892.”

Coming into  
force.

**5.** This act shall come into force on the day of its sanction.

### C A P. X X X I

An Act to amend the law respecting admission to the practice of medicine in certain cases

[*Assented to 15th January, 1898*]

Preamble.

**W**HEREAS there are at present in the universities of this Province nearly two hundred students who have commenced attending the medical course before having obtained a certificate of admission to the study of medicine ;

Whereas the fact of their not having been regularly admitted to the study of medicine exposes them to lose the benefit of several years of medical studies ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows ;

Certain students of universities may be admitted to practise after passing examinations for study and practice.

**1.** Notwithstanding article 3978 of the Revised Statutes, the College of Physicians and Surgeons of the Province of Quebec is authorized to admit to practise the medical students who, on the first of November, 1896, had commenced attending the medical course in a duly incorporated university of the Province of Quebec, before having obtained a certificate of admission to the study of medicine and to grant them the necessary license to practice medicine, surgery and obstetrics in the Province after having passed the examinations required for admission to study and those required for admission to practise.

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

### C A P. X X X I I

An Act concerning Civil Engineers

[*Assented to 15th January, 1898*]

Preamble.

**W**HEREAS by an act of the Parliament of Canada, 50-51 Victoria, chapter 124, “The Canadian Society of Civil Engineers” was incorporated, and it is deemed advisable to establish the qualifications necessary to permit persons to

act or practise as civil engineers in the Province of Quebec ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following expressions in this act have the meanings hereby assigned to them, unless there is something in the text repugnant to such construction : Interpretation of words :

(a) The expression : "the society," means the Canadian Society of Civil Engineers ;

(b) The expression : "the council," means the council of the said society ;

(c) The expression : "corporate member," means a member or associate member of the said society ; Corporate member ;

(d) The expression : "civil engineer," means any one who acts or practises as an engineer in advising on, in making measurements for, or in laying out, designing or supervising the construction of railways, metallic bridges, wooden bridges the cost of which exceeds \$600.00, public highways requiring engineering knowledge and experience, roads, canals, harbors, river improvements, light-houses, and hydraulic, municipal, electrical, mechanical, or other engineering works, not including government colonization roads or ordinary roads in rural municipalities ; but it is not deemed to apply to a mere skilled artisan or workman. Civil engineer.

2. On and after the 1st of January, 1899, no person shall be entitled, within the Province of Quebec, to use the title of civil engineer, or any abbreviation thereof, or any name, title or description implying that he is a corporate member of the said society, nor to act or practise as civil engineer within the meaning of the first section of this act : Use of title civil engineer.

(a) Unless such person is a corporate member of the Society or becomes such under the provisions of this act ; or,

(b) Unless he is entitled, by some statute of the Dominion of Canada, of the late Province of Canada, or of the Province of Quebec, to use the title of civil engineer ; or,

(c) Unless he is practising as a civil engineer in this Province, and, within one year from the passing of this act, becomes a corporate member of the society ; or,

(d) Unless he is a member of the corporation of land surveyors at the time of the passing of this act, and at any time thereafter becomes a corporate member of the society.

3. The following persons only shall, after the coming into force of this act, be admitted as corporate members of the society to practise in the Province of Quebec : Who may be admitted as corporate members.

(a) All persons, being practising civil engineers within the Province, at the time of the coming into force of this act, who, within one year therefrom, apply for admission to and pay the subscription fees required under the by-laws of the

society ; the application must be supported by an affidavit verifying the allegations of the application ;

(b) All persons who, having been admitted to study under the provisions of this act, shall have passed the prescribed examination and shall have been licensed as civil engineers by the society ;

(c) All persons, being members of the corporation of land surveyors of this Province, at the time of the coming into force of this act, who, at any date thereafter, apply for admission to and pay the subscription fees required under the by-laws of the society.

Board of examiners.

4. A board of examiners, of not less than six persons, who shall be resident in the Province of Quebec, to examine candidates for admission to the study, or for admission to the practice of civil engineering, shall be constituted.

By whom appointed.

Four members of this board, two of whom must have the proper qualifications and competency to examine all candidates for preliminary and final examinations in French or in English, at the option of the candidate, shall be appointed by the council, one member by McGill University, and one by Laval University.

Quorum.

Three members of the board shall constitute a quorum.

Meetings of board.

The said board shall meet at least twice each year, at the cities of Quebec and Montreal alternately, on the first Tuesday in May and November.

Candidates for admission to study.

5. A candidate for admission to study shall :

(a) Give one month's notice to the secretary of the society of his intention to present himself for examination, and at the same time shall pay such secretary the sum of twenty dollars as a fee, one half of which shall be remitted in the event of failure to pass the prescribed examination ;

(b) Produce a certificate of good character ;

(c) Pass an examination in the following subjects, namely : general geography, that of Canada in particular ; history of Canada ; arithmetic ; elements of geometry ; use of logarithms ; algebra, up to and including quadratic equations ; trigonometry, up to and including the solution of plane triangles.

If successful, the candidate shall be entitled to a certificate that he has passed such examination.

If the candidate holds a certificate of having been admitted to study as a provincial land surveyor, at the time of the coming into force of this act, then such certificate shall be accepted in place of the foregoing examination.

If the candidate holds a degree of Bachelor of Applied Science, Bachelor of Arts, Bachelor of Sciences, or Bachelor of Letters, conferred upon him by any Canadian or British university, or has graduated from and holds the diploma of

the Royal Military College, or holds a diploma as provincial land surveyor in this Province, he shall, on making satisfactory proof that he is the person named in such degree or diploma, be entitled, on payment of the above mentioned fee, to receive a certificate permitting him to study.

**6.** A candidate for admission to practice shall;

Candidates  
for admission  
to practice.

(a) Give one month's notice of his intention to present himself for examination, and at the same time, pay the secretary the sum of forty dollars, as a fee;

(b) Produce a certificate of good character;

(c) Establish that he is at least twenty-one years of age;

(d) Establish that, since his admission to study, he has been engaged in the pursuit of engineering in the office or in the service of a corporate member of the society for a period of at least five years, or, for a period of two years, if he holds a diploma as a provincial land surveyor in this Province, or has a degree from any college or university in Canada granting degrees or diplomas in applied science after a course of not less than three years. Time occupied during college vacation, in actual engineering work, under the direction of a corporate member of the society shall count towards the term of two years above mentioned;

(e) Pass an examination before the board of examiners of the society on the theory and practice of engineering, and specially, in one of the following branches at his option: railway, municipal, hydraulic, mechanical, mining or electrical engineering.

2. Indentured pupils of civil engineers, at the time of the coming into force of this act, who shall, within six months thereafter, register their indentures with the society and pay the admission fees, shall, upon the completion of the full term of five years, be admitted to practice on passing the preliminary and final examinations as herein prescribed.

Present stud-  
ents of engin-  
eering.

3. All examinations shall be conducted in French or English at the option of the candidate.

Examinations  
to be conduc-  
ted in French  
or English.

7. Any student who has passed the examination prescribed by this act is entitled to receive a diploma and becomes a corporate member of the society.

Passed stud-  
ents corporate  
members.

8. No by-laws passed, or that may be passed, by the society, shall have force or effect in this Province until approved by the Lieutenant-Governor in Council.

Approval of  
by-laws re-  
quired.

9. No person practising the profession of civil engineer, and not entitled to do so under this act, shall recover before any court of justice any sum of money for the professional services rendered in such practice.

No recovery  
for services  
rendered by  
persons not  
entitled to  
render such  
under this  
act.

Penalty for  
practising  
when not a  
civil engi-  
neer, &c,

**10.** Any person who, not being registered as a member of the said society, takes or makes use of any such name, title or designation as mentioned, or assumes the title of civil engineer, shall be liable upon summary conviction to a fine not exceeding twenty-five dollars for the first offence, and not exceeding one hundred dollars for any subsequent offence.

Rights of land  
surveyors  
safeguarded.

**11.** Nothing in this act shall be deemed to encroach upon the rights and privileges conferred upon provincial land surveyors by any act of the Legislature of this Province.

Coming into  
force.

**12.** This act shall come into force on the day of its sanction.

### CAP. XXXIII

An Act to amend the act incorporating the Province of Quebec Association of Architects

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

54 Vic., c. 9,  
s. 5, amended.

**1.** Section 5 of the act 54 Victoria, chapter 59, is amended by replacing the words: "a secretary-treasurer," in the third line, by the words: "a secretary and a treasurer".

Id. s. 7,  
amended.

**2.** The second clause of section 7 of the said act is replaced by the following :

Person who  
may be en-  
tered on re-  
gister.

"Any person who had regularly attended an architect's office during four years, at the time of the coming into force of this act shall be entitled to be registered as a member of the association by observing the above formalities."

Publication  
of notice of  
organization  
of council.  
Computation  
of certain de-  
lay.

**3.** The notice that the organization of the council of the association of architects of the Province of Quebec is completed shall be published without delay after the sanctioning of this act, in the *Quebec Official Gazette*, and the delay of six months, mentioned in section 7 of the act 54 Victoria, chapter 59, shall be computed from such publication.

Id., s. 13, re-  
placed.

**4.** Section 13 of the said act is replaced by the following :

Who alone  
may use name  
of architect  
after certain  
time.

"**13.** After the expiration of six months from the publication of the notice of the organization of the council of the said association, no person can take or make use of the name or title of architect, either singly or in connection with any other word, name, title or designation, giving it to be un-

derstood that he is an architect under this act, unless he is registered under this act as a member of the said association.

Any person who, after the time above mentioned, Penalty, &c. not being registered as a member of the said association, takes or makes use of any such name, title or designation, as above mentioned, shall be liable, upon summary conviction, to a fine not exceeding twenty-five dollars for the first offence, and not exceeding one hundred dollars for every subsequent offence."

5. This act shall come into force on the day of its sanc- Coming into force.  
tion.

#### CAP. XXXIV

An Act to amend the law respecting town corporations

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following article is added after article 4402 of the Art. added after R. S. 4402.  
Revised Statutes :

" 4402a. To acquire, jointly with the corporation of the county in which the town is situated, as well as with all other towns in such county, one or more machines, stone crushers, rollers and engines for use in the improvement of roads, by-roads and streets within such county and the towns therein ; to make arrangements with the town, village and rural corporations of the several municipalities situated within such county, for the purpose of allowing them the use thereof for their roads, by-roads and streets, and to fix the price for and the conditions of their use, or to give them the use thereof gratuitously." Power to acquire stone crushers, &c.



## CAP. XXXV

An Act to amend the Joint Stock Companies' General  
Clauses act

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of  
the Legislature of Quebec, enacts as follows :

Art. added  
after R. S.,  
4663.

1. The following article is added after article 4663 of the  
Revised Statutes :

By-laws pro-  
viding for  
issue of pre-  
ferred stock  
authorized.

"**4663a.** The directors may also make by-laws for issuing  
any part of the capital stock as preferred stock, giving the  
same such preference as to dividends and otherwise over  
ordinary stock as may be declared by the by-law.

The by-law may provide that the holders of such shares  
shall have the right to elect a certain number of the board  
of directors, and may give them any other control over the  
affairs of the company.

No such by-law shall have any effect, until it has been  
unanimously sanctioned in writing by the shareholders or  
has been sanctioned by the unanimous vote of all the share-  
holders, which shareholders shall be present in person or by  
proxy at a special general meeting of the company called for  
considering the same.

If, however, the by-law be sanctioned by three fourths in  
value of the shareholders, it comes into force only after  
it has been approved by the Lieutenant-Governor in Council.  
Such approval shall not be given until after a notice of one  
month has been sent by registered letter to all the share-  
holders.

Holders of such preferred shares shall be shareholders  
within the meaning of this act, and shall in all respects pos-  
sess the rights and be subject to the liabilities of sharehold-  
ers, saving the preference and rights above mentioned,  
given by any such by-law.

Nothing in this article contained, or done in pursuance  
thereof, shall affect the rights of creditors of any company."

## CAP. XXXVI

## An Act to amend the Joint Stock Companies' Incorporation Act

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following article is added after article 4717 of the Revised Statutes :

Art. added after R. S., 4717.

"**4717a.** The directors may also make by-laws for issuing any part of the capital stock as preferred stock, giving the same such preference as to dividends and otherwise over ordinary stock as may be declared by the by-law.

By-laws providing for issue of preferred stock authorized.

The by-law may provide that the holders of such shares shall have the right to elect a certain number of the board of directors and may give them any other control over the affairs of the company.

No such by-law shall have any effect, until it has been unanimously sanctioned in writing by the shareholders or has been sanctioned by the unanimous vote of all the shareholders, which shareholders shall be present in person or by proxy at a special general meeting of the company called for considering the same.

If, however, the by-law be sanctioned by three fourths in value of the shareholders, it comes into force only after it has been approved by the Lieutenant-Governor in Council. Such approval shall not be given until after a notice of one month has been sent by registered letter to all the shareholders.

Holders of such preferred shares shall be shareholders within the meaning of this act, and shall in all respects possess the rights and be subject to the liabilities of shareholders, saving the preference and rights given by any such by-law.

Nothing in this article contained, or done in pursuance thereof, shall affect the rights of creditors of any company."

## CAP. XXXVII

An Act to amend the law respecting Companies for  
Stoning Roads

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of  
the Legislature of Quebec, enacts as follows :

Arts. added  
after R. S.,  
5111.

**1.** The following articles are added after article 5111 of the Revised Statutes :

Arbitration  
in case of  
disagree-  
ment.

“**5111a.** In case of disagreement respecting the amount of the annual payment mentioned in article 5086 between the company and the person interested, if such person be not a shareholder, the amount of such annual payment shall also be estimated and established by three arbitrators appointed, as aforesaid, and articles 5108 and 5109 shall also apply in the matter.

Notification  
to be given  
by company.

Costs in cer-  
tain event.

“**5111b.** The company may, previous to the appointment of arbitrators, notify the opposite party of the amount which it offers to accept as commutation annually ; and, whenever the amount established by the award exceeds the amount so offered to be accepted by the company, the costs of arbitration shall be borne by the opposite party otherwise they shall be paid by the company ; but no costs of advocates or attorneys shall be allowed in either event, and the arbitrators may proceed summarily and without taking down evidence or minutes in writing.

Annual pay-  
ment of com-  
mutation  
when due.

“**5111c.** The amount of the annual payment so established shall be payable annually in advance, in respect of the property of the person bound to the maintenance of the existing road, and shall continue to be payable, for five years as respects properties the frontage of which upon the road is situated in incorporated cities, towns or villages, and for ten years as respects other properties, notwithstanding any changes in ownership.”

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## CAP. XXXVIII

## An Act to amend the law respecting Mutual Fire Insurance Companies

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Articles 5333 and 5334 of the Revised Statutes are replaced by the following :

R. S., 5333,  
5334, replaced.

“5333. The directors may, in making assessments, provide for the creation and maintenance of a reserve fund, the object of which shall be to render assessments more uniform and to aid the members in years of heavy losses.

Creation of a reserve fund for certain purposes.

This fund shall be administered by the directors in whatever manner they may deem most advantageous to the company, but must at no time exceed one hundred thousand dollars, exclusive of the value of the buildings containing the offices of the company.

How to be administered.

2. The limit hereinabove set for the reserve fund shall, however, not apply to the Mutual Fire Insurance Company of the city of Montréal.

Not to apply to certain company.

“5334. The directors may invest the said fund or part thereof in purchasing bonds of the Federal or Provincial Government or of municipal corporations in the Province of Quebec, in accordance with the provisions of article 981o of the Civil Code.”

Investment of such fund.

## CAP. XXXIX

## An Act respecting the operations in this Province of Mutual Benefit Societies and Benevolent Associations incorporated outside the Province

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Notwithstanding the provisions of the act 59 Victoria, chapter 34, every Mutual Benefit Society or Benevolent Association incorporated in any province in Canada, which authorizes Mutual Benefit Societies and Benevolent Associations of the Province of Quebec, to transact business within its limits in virtue of legislative provisions on conditions similar to those set forth in this act, may be authorized to carry on business in this Province.

Power given to Mutual Benefit Societies &c., incorporated outside Province to do business in this Province.

2. The license conferring such authority is granted on application to the Lieutenant-Governor in Council provided the society or association :

License granted on application, provided :

Company de-  
posits certain  
sum of money;

(a). 1. Has deposited in the hands of the Provincial Treasurer five thousand dollars either in money, or by means of a deposit receipt of a duly incorporated bank of Canada or in bonds of the Government of Canada;

Has selected  
a head-office  
in Province of  
Quebec, &c. ;

2. Has selected a head-office in the Province of Quebec and has appointed a chief agent, authorized to represent it in the Province of Quebec.

Has paid a fee  
of fifty dol-  
lars ;

3. Has paid to the Treasurer of the Province of Quebec a fee of fifty dollars, which shall be kept by the said Treasurer whenever such license is granted.

Has carried  
on business in  
its own pro-  
vince for cer-  
tain time and  
is not insol-  
vent ;

(b) Has, without interruption during the five years preceding the application, carried on and continued to carry on operations in the Province in virtue of the laws of which it is incorporated, has been solvent during such time, and is not actually insolvent or on the point of becoming so ;

Insures only  
its members ;  
Does not  
grant certain  
insurances ;

(c) Insures its members only ;  
(d) Does not grant insurances and does not pay indemnity for any other cause than illness, infirmity, death or funeral expenses, and does not insure the same life for more than three thousand dollars ;

Undertakes  
only certain  
insurances ;

(e). Undertakes no endowment insurance or other endowment contract, or any annuity on one or more lives, or undertakes no investment bond, tontine contract or semi-tontine contract or any marriage-aid contract ;

Has more than  
five hundred  
members ;  
Is not proper-  
ty of its offi-  
cers, &c. ;

(f) Has more than five hundred members inscribed on its rolls in good standing ;

(g). Is not the property of its officers, its collectors or any other person for his own benefit ; is not managed as a mercantile or business enterprise or for a purpose of mercantile profit, or its funds are not under the control of persons or officers appointed for life, but really under that of the assured ;

Provides that  
certain pre-  
miums may  
be levied.

(h). Provides in its policies, if the above mentioned application be made after 30th June, 1898, that premiums be levied from its members equal at least to those mentioned in the schedule of this act, together with an amount sufficient to meet the expenses of administration of the society or association.

When license  
may be grant-  
ed.

3. On proof of the above by affidavit, and by the production of the act incorporating the society or association or of the certificate of registration relating thereto, if registration be required by the acts of the Province in which it has been incorporated, the Lieutenant-Governor in council grants the license.

Annual report  
to treasurer.

4. Every year in the month of June, the society or association shall forward to the Provincial Treasurer a report of its operations, a statement of its affairs, and a declaration, under oath attesting that it has complied with all the

requirements of the laws of the Province in which it has been incorporated.

**5.** The Provincial Treasurer is, whenever he is thereunto required by the assured or by any other interested person, or whenever he deems it expedient, authorized to have an inspection, made by the inspector of insurance or by a special inspector, of the operations and financial standing of the society or association. Inspection may be made.

**6.** The society or association may, in addition to the sum of five thousand dollars above mentioned, deposit with the Provincial Treasurer any other sum which it may deem expedient. Society may deposit further sum.

**7.** If it appear by the annual statement forwarded by the society or association or by the inspector's report that the society or association has not in the Province assets sufficient to secure the full payment of all the risks it has assumed, it shall, on demand of the Provincial Treasurer, deposit in the hands of the latter such amount as he may deem necessary to secure the fulfilment of its engagements. Additional deposit may be required.

If it refuse or neglect to comply with such demand, the Lieutenant-Governor in council may cancel or suspend the license. Cancellation of license if not paid.

**8.** The deposits in the hands of the Provincial Treasurer are under the control of that official, who has the custody and management thereof. Deposits to be under control of Treasurer.

They are liable for the obligations contracted in the province by the society or association which has so deposited them, and cannot be repaid to it, so long as it continues its operations, and thereafter until it has been shown to the satisfaction of the Lieutenant-Governor in Council that all its obligations in the Province have been liquidated. What they are liable for.

**9.** The society or association may, with the consent of the Provincial Treasurer, replace the securities deposited with that official by others. Securities may be replaced by others.

**10.** The society or association may, if it obtain a license issued by the government of Canada, withdraw, with the authorization of the Lieutenant-Governor in Council, the deposits made in the hands of the Provincial Treasurer. Deposit may be withdrawn, if society licensed under federal act.

**11.** This act shall come into force on the day of its sanction. Coming into force.

## SCHEDULE

NET PREMIUM FOR ALL LIFE INSURANCE OF \$1,000.

Age at entry.	Yearly in advance.	Half-yearly in advance.	Quarterly in advance.	Monthly in advance.
	\$	\$	\$	\$
18	9.86	5.00	2.51	.84
19	10.20	5.18	2.60	.87
20	10.55	5.36	2.69	.90
21	10.91	5.53	2.78	.93
22	11.28	5.71	2.87	.96
23	11.66	5.89	2.96	.99
24	12.03	6.07	3.05	1.02
25	12.42	6.25	3.14	1.05
26	12.76	6.43	3.23	1.08
27	13.12	6.60	3.32	1.11
28	13.49	6.78	3.41	1.14
29	13.87	7.02	3.53	1.18
30	14.31	7.20	3.62	1.21
31	14.76	7.44	3.74	1.25
32	15.22	7.68	3.86	1.29
33	15.73	7.91	3.98	1.33
34	16.25	8.21	4.13	1.38
35	16.82	8.51	4.28	1.43
36	17.42	8.81	4.43	1.48
37	18.05	9.10	4.57	1.53
38	18.71	9.46	4.75	1.59
39	19.42	9.82	4.93	1.65
40	20.18	10.17	5.11	1.71
41	20.97	10.59	5.32	1.78
42	21.81	11.01	5.53	1.85
43	22.70	11.48	5.77	1.93
44	23.65	11.96	6.01	2.01
45	24.66	12.44	6.25	2.09
46	25.72	12.97	6.52	2.18
47	27.31	13.80	6.94	2.32
48	28.10	14.16	7.12	2.38
49	29.36	14.82	7.45	2.49
50	30.72	15.53	7.80	2.61
51	32.17	16.24	8.16	2.73
52	33.71	17.02	8.55	2.86
53	35.34	17.85	8.97	3.00
54	37.07	18.74	9.42	3.15
55	38.94	19.64	9.87	3.30

## CAP. XL

An Act to amend the law respecting grass growing on certain beaches

[Assented to 15th January, 1898]

**W**HEREAS doubts have arisen respecting the interpretation to be given to article 5537 of the Revised Statutes, and it is expedient to remove the same; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Paragraph 1 of article 5537 of the Revised Statutes is amended by adding thereto the following words : “and they may sell or alienate such right to any other person in the same manner as any other real right to them belonging.” R. S. 5537 § 1, amended.

2. This right of sale and alienation is declared to have heretofore belonged to the proprietors mentioned in the first paragraph of article 5537. Declaration of rights.

3. This act shall not affect pending cases.

Pending cases  
not affected.

## CAP. XLI

An Act to amend the law respecting life insurance by husbands and parents

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 5604 of the Revised Statutes is amended : R. S. 5604, amended.

1. By repealing the words “and shall also be unassignable by either of such parties,” in the third and fourth lines ;

2. By adding the following clause :

“The insured and the parties benefited may join in assigning any such policy.”



## CAP. XLII

An Act to amend the law respecting the registration of partnerships

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. added  
after R. S.,  
5635.

**1.** The following article is added to the Revised Statutes after article 5635 :

Declaration  
not to be re-  
gistered if  
name similar  
to another  
firm.

If made, may  
be annulled.

“**5635a.** No such declaration can be registered if it give to any partnership the name, style or firm name of an existing partnership, or a name, style or firm name so similar that the public may be induced into error.

Every registration made contrary to the provisions of this article may be annulled by the Superior Court of the district, upon petition of which notice has been given to the parties interested, to the prothonotary and to the registrar.”

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## CAP. XLIII

An Act to amend the law respecting the inspection of registry offices

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S., 5702,  
amended.

**1.** Article 5702 of the Revised Statutes is amended by adding thereto the following clause :

Inquiries into  
conduct of  
registrars, &c.

“He shall also, when thereto required by the Attorney General, hold an inquiry into the conduct of any registrar, his deputies or employees, whenever in the public interest such inquiry should be held ; and he has, respecting such inquiries, all the powers of the commissioners named in virtue of chapter second of title third of these Revised Statutes.”

## CAP. XLIV

## An Act to amend the Civil Code with respect to substitutions

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following article is inserted in the Civil Code, after article 953 : Art. added to Civil Code after 953.

“953a. The substituted property may likewise be definitively alienated during the substitution, on the following conditions : Alienation of substituted property.

1. Such alienation must be to the advantage of the institute and of the substitute. Must be to advantage of parties.

2. The institute and curator must be authorized by the court, by observing the formalities prescribed in articles 1341 to 1361, inclusively, of the Code of Civil Procedure. Authorization required.

3. The purchase price must be employed in accordance with the judge's order, either in paying the debts of the substitution or upon immoveable property in this Province, or on first privilege or first hypothec upon immoveable property in this Province, valued at not more than three-fifths of the municipal valuation, which valuation must be confirmed by an expert. Application of purchase price.

4. If the purchase price be employed at the same time as the sale of the substituted immoveable, the purchaser of the property is bound to see to its employment, and he shall pay the purchase price, as the case may be, into the hands of the vendor of the immoveable purchased to acquit the purchase price of the latter or into the hands of the borrower, and this employment and the judge's order must be mentioned in the acquittance of the purchase price of the substituted immoveable, in order to render the said acquittance valid. Duty of purchaser in certain event.

5. If the employment of the purchase price be not made at the time, the said purchase price shall be deposited by the purchaser, as a judicial deposit, in the hands of the prothonotary of the Superior Court of the district where the immoveable sold is situated, and the prothonotary shall hold the deposit subject to the employment thereof under the provisions of this article. Deposit of purchase price in certain event.

6. The immoveables acquired by the institute or the purchase price invested in mortgage, as the case may be, are subject to the substitution in the same manner as the immoveable sold. Substitution to affect property purchased, &c.

How capital  
is reimbursed.

7. The reimbursement of any capital loaned according to the provisions hereof shall be made to the prothonotary of the Superior Court of the district where the substituted property was situated, who shall receive such capital as a judicial deposit and cannot pay it out except on a judge's order authorizing a new investment, unless such new investment has been authorized by the judge before the reimbursement took place.

Acquittance  
by prothono-  
tary.

8. In the case of judicial deposit, the acquittance given by the prothonotary shall be final and shall authorize the registrar to effect any necessary radiation.

Costs by  
whom paid.

9. The costs incurred for the sale and investment of the purchase price shall be borne by the institute."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## C A P. X L V

### An Act to amend the Civil Code

[Assented to 15th January, 1898]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

C. C. 1622,  
amended.

1. Article 1622 of the Civil Code is replaced by the following :

Landlord's  
privilege for  
rent.

" **1622.** It includes also moveable effects belonging to third persons, and being on the premises by their consent, expressed or implied, for sums which have become due by the lessee prior to the notification given to the lessor of the property rights of third persons or before the knowledge acquired by the lessor of such rights of third persons, but not if such effects be only transiently or accidentally on the premises, as the baggage of a traveler in an inn, or articles sent to a workman to be repaired or to an auctioneer to be sold.

Notification  
to avail  
against subse-  
quent ac-  
quirer.

The notification in due time to the lessor shall avail against a subsequent acquirer of the leased premises."

## CAP. XLVI

## An Act to amend article 2005 of the Civil Code

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Article 2005 of the Civil Code, as contained in article 5828 of the Revised Statutes, is replaced by the following : C. C. 2005.  
replaced.

**“2005.** The privilege of the lessor extends to all rent that is due or to become due under a lease in authentic form. Privilege of  
lessor, if lease  
in authentic  
form.  
Proviso.

But in the case of the liquidation of property abandoned by an insolvent trader who has made an abandonment in favor of his creditors, the lessor's privilege is restricted to twelve months rent due and the rent to become due during the current year if there remain more than four months to complete the year ; if there remain less than four months to complete the year, to the twelve month's rent due and to the rent of the current year and the whole of the following year.

If the lease be not in authentic form, the privilege can only be claimed for three overdue instalments and for the remainder of the current year.” If lease not in  
authentic  
form.

## CAP. XLVII

## An Act to amend the Code of Civil Procedure

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Article 295 of the Code of Civil Procedure is replaced by the following : C. C. P. 295.  
replaced.

**“295.** No case can be inscribed on the roll unless a copy of all pleadings necessary to join the issue, is filed in the office of the court for the use of the trial judge. When case  
may be in-  
scribed.

The prothonotary has the right, before the witnesses are heard, to require from each party a deposit of ten dollars to cover stenographer's fees, and further, if necessary, to require during the trial additional deposits.” Deposit for  
evidence.

C. C. P. 350,  
amended.

**2.** Article 350 of the said Code is amended by adding thereto the following clause :

Notes are to  
be evidence.

"The notes of evidence, taken by the judge or under his direction, are afterwards signed by the judge or the prothonotary, and they constitute and shall be considered as the evidence of the witness."

C. C. P. 430,  
amended.

**3.** Article 430 of the said Code is amended by adding thereto the following clause :

Who are  
jurors in civil  
cases.

"If the court is held in any place other than the cities of Quebec, Montreal, Three Rivers, Sherbrooke, or St. Hyacinthe or the town of St. Johns, the names of all persons appearing on the list of grand jurors must be entered by the prothonotary upon the list of persons qualified to serve as jurors in civil cases."

Art. added  
after C. C. P.  
719.

**4.** The following article is inserted in the said Code after article 719 :

Other notices  
to be given by  
sheriff.

**"719a.** When the seizure has been made in a locality other than that mentioned in paragraph 1 of article 717, in addition to the notices and advertizements which he is bound to give, when no opposition has been made to the seizure or sale, or if an opposition, having been made, has been set aside, the sheriff shall cause to be published, in at least one number of a French newspaper, and in one number of an English newspaper, published nearest to the place in which the immoveable under seizure is situated, a notice briefly setting forth the details of such sale.

Want of, does  
not invalidate  
proceedings,  
&c.

The omission to give such notice does not invalidate the proceedings, but the officer in default is responsible for all damages which may result therefrom.

Costs thereof.

When the seizure is annulled and the seizing party is condemned to pay the costs thereof, the expenses of the notice are borne by him."

French ver-  
sion of C. C. P.  
amended.

**5.** The French version of the said Code is amended :

(a) By replacing the word : "*débiteur*" in the first line of paragraph 2 of article 853, by the word : "*commerçant* ;"

(b) By inserting before the word : "*justifie*," in the fourth line of article 1219, the word : "*se*".

C. C. P., 878,  
amended.

**6.** Article 878 of the said Code is amended by inserting, in the first line, after the word "moveable," the words "and immoveable".

C. C. P., 879,  
replaced.

**7.** Article 879 of the said Code is replaced by the following :

Sale of im-  
moveables.

**"879.** Upon the application of the curator authorized by the inspectors or upon the application of an hypothecary cred-

itor, after notice to the debtor, the judge may authorize the curator to sell the immoveables of the latter in such manner and after such notices as the judge may please to order ; he may also authorize or command the curator to issue his warrant to the sheriff competent to act requiring the latter to seize and sell such immoveables.

The sheriff executes such warrant without making any service upon the debtor, but by otherwise observing the same rules as in the case of an execution against immoveables ; and all subsequent proceedings are had in the Superior Court,

The moneys realized from the sale made by the sheriff remain in his hands to be paid by him to the privileged and hypothecary creditors in accordance with the report of distribution which shall be made by the prothonotary of the Superior Court in the usual way, and the surplus shall be remitted to the curator upon an order of the judge for its distribution among the chirographory creditors by means of a dividend sheet prepared in accordance with the following article."

8. Article 880 of the said Code is amended by striking out the words : " or by the sheriff " in the first and second lines. C. C. P., 880, amended.

9. Article 1398 of the said Code is replaced by the following : C. C. P. 1398, replaced.

" **1398.** The inventory may, whenever required, be judicially closed at the *chef-lieu* of the district, by the judge of the Superior Court, the prothonotary or deputy-prothonotary, or at any place in the district, outside the *chef-lieu*, where the Circuit Court is appointed to be held, by the judge or the clerk or the deputy-clerk of such Circuit Court, upon the submission of the original inventory or an authentic copy thereof, with a sworn declaration that such inventory is faithful and correct. Judicial closing of inventories.

Every prothonotary, and every clerk of the Circuit Court held at a place not being the *chef-lieu* of a district, shall keep an indexed register, in which he shall enter and make, and certify as true, a copy of every such sworn declaration and closure of inventory made in his district or circuit. Registers for entering same.

10. This act shall come into force on the day of its sanction. Coming into force.

## CAP. XLVIII

## An Act respecting stenographers of the Superior Court

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

60 V., c. 51,  
repealed.

1. The act 60 Victoria, chapter 51, is repealed.

Stenograph-  
ers to be sup-  
plied by pro-  
thonotaries.

2. The prothonotary of the Superior Court of each district shall be bound to supply competent stenographers to take the depositions of witnesses, in cases before the Superior Court and in appealable cases before the Circuit Court.

Efficiency of  
stenograph-  
ers how es-  
tablished.

3. The efficiency of such stenographers shall be established by examinations held by a committee of the Bar of each district appointed for that purpose by the Council of the Bar in the districts in which there is a section of the Bar, and by the majority of the advocates entered on the general roll in other districts.

Tariffs of fees  
for steno-  
graphers.

4. The Lieutenant-Governor in Council may make, amend and replace all tariffs of fees for the taking of evidence by stenography, as well as for transcribing the same, and determine the manner in which such fees shall be paid.

Depositions in  
*forma pau-*  
*peris* cases.

5. In *forma pauperis* cases, the prothonotary shall cause the depositions to be taken by stenographers appointed by him in rotation.

Payment  
therefor.

When the cost of such depositions has been paid, the prothonotary shall make a special fund, which he shall divide among the stenographers every six months.

## CAP. XLIX

## An Act to amend the Municipal Code

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. added  
after M. C.,  
23.

1. The following article is added after article 23 of the Municipal Code.

Costs of erec-  
tion by whom  
paid.

“ 23a. The costs incurred for the purpose of creating and organizing a new rural, village or town municipality are at the charges of the said municipality.”

**2.** The following article is added to the said Code after article 425*a*, as contained in article 6093 of the Revised Statutes: Art. added after M. C., 425*a*.

**"425*b*.** Whenever the waters of a river, serving as a division between two or more properties, become sufficiently low during the summer season to allow of animals crossing it, the municipal council of the municipality may, on application to that effect, pass a by-law ordering the erection of a temporary fence there as elsewhere."  
Fence to be built when river too low to keep out cattle.

**3.** Article 552 of the said Code, as it is contained in article 6117 of the Revised Statutes, is amended by replacing the word: "five", in the second line, by the word: "ten."  
M. C., 552, amended.

**4.** Article 582*a* of the said Code, as it is contained in article 6126 of the Revised Statutes, and amended by the act 52 Victoria, chapter 54, section 7, is replaced as follows: M. C., 582*a*, replaced.

**"582*a*.** To require and exact, for the granting of a license, under the previous article, a higher price from persons who have not resided for twelve months in the municipality than from those resident therein, provided such price does not exceed forty dollars for carters or common carriers and one hundred dollars in other cases."  
Higher licenses for non-residents. Proviso.

**5.** The following section is added after section thirteenth of chapter fourth of title first of book second of the said Code: Sec. added after M. C., 608.

#### SECTION XIII*a*.

##### *Water.*

**"608*a*.** To provide for the establishment, protection and management of aqueducts, public wells or reservoirs and to prevent the same from being fouled or wasted.  
Provide for establishment of aqueducts.

To grant for a fixed number of years to any company, person or firm of persons, who undertakes to construct an aqueduct, public well, or reservoir, or who assumes the management thereof, an exclusive privilege of laying pipes to supply water within the limits of the municipality or in any part thereof, and to enter into a contract for such supply of water for one or more years, but for a period not exceeding twenty-five years.  
Grant, privileges to any one undertaking such. &c.

**"608*b*.** For the purposes of the preceding article, articles 637*a*, 637*b*, 639 and 640, as well articles 640*a* to 640*i*, respecting expropriations, shall apply."  
Arts. to apply.

**6.** Article 623*a* of the said Code, as it is contained in article 6130 of the Revised Statutes, is amended by replacing  
M. C., 623*a*, amended.



M. C., 758,  
amended.

the words : " two-thirds in," in the second line thereof, by the words : " more than half the".

Duty of coun-  
ty council  
if it de-  
clares a local  
road to be a  
county road.

7. Article 758 of the said Code is amended by adding thereto the following paragraph :

M. C., 1042,  
amended.

" 3. The county council, after having declared a local road to be a county road, may, when occasion requires, determine by *procès-verbal*, which corporations shall be liable for the maintenance and repairs of the road, and the building and repairing of the bridges, and shall declare in such *procès-verbal* what proportion each corporation shall contribute."

M. C., 1080,  
amended.

8. Article 1042 of the said Code is amended by striking out the words : " of the county," in the third line.

Coming into  
force.

9. Article 1080 of the said Code, as it is contained in article 6224 of the Revised Statutes, and amended by the acts 52 Victoria, chapter 54, section 23, and 57 Victoria, chapter 51, section 13, is further amended by adding the words : " the township of Kingsey," after the words : " South Durham," in the tenth and eleventh lines.

10. This act shall come into force on the day of its sanction.

## C A P. L

### An Act to further amend the Municipal Code

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

M. C., 283,  
amended.

1. Article 283 of the Municipal Code, as it is contained in article 6075 of the Revised Statutes, is amended by inserting after the word : " dollars," in the seventh line, the following words : " or if it concerns the municipality of the parish of St. Pierre de la Pointe aux Esquimaux, real estate of any value whatever".

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CAP. LI

## An Act to further amend the Municipal Code

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 522*a* of the Municipal Code, as enacted by the M. C., 522*a*, act 60 Victoria, chapter 57, section 3, is replaced by the following :

“ 522*a*. To acquire one or more machines, stone crushers and rollers to improve and maintain by-roads and roads whether local or county; to make arrangements with the local municipalities, and the corporations of towns and villages with a population of less than four thousand souls, situate within the limits of the county, for the purpose of allowing them the use thereof for their roads, and to fix the price for their use, or to give them the gratuitous use thereof. Acquisition of stone-crushers, &c.

“ 522*b*. To acquire such machines, jointly with the town corporations coming within the provisions of the preceding article, and to make, respecting the said machines, the arrangements mentioned in the said article with local or county municipalities.” Joint acquisition, &c.

## CAP. LII

## An Act to amend the acts respecting the corporation of the city of Quebec and the recorder's court of the said city

[Assented to 15th January, 1898]

WHEREAS the corporation of the city of Quebec has, by petition, represented that it is expedient to amend the various acts respecting the same, as well as the laws respecting the recorder's court of the said city, and to add certain other provisions thereto; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

## RECORDER'S COURT

1. Section 30 of the act 24 Victoria, chapter 26, is replaced by the following : 24 V., c. 26, s. 30, replaced.

“ The said recorder's court may be held every day, and may sit as many times as may be necessary each day Sittings of court.

after adjournment in contested matters and without adjournment or notice in non-contested, penal and other matters."

27 V., c. 21,  
s. 8, repealed.

**2.** Section 8 of the act 27 Victoria, chapter 21, is repealed.

24 V., c. 26,  
s. 4, § 1, re-  
placed.

**3.** The first paragraph of section 4 of the act 24 Victoria, chapter 26, is replaced by the following :

Jurisdiction  
of court.

"The said court may take cognizance of and determine all offences mentioned in articles 2782 to 2794, inclusively, of the Revised Statutes of this Province in so far as such provisions are applicable to the city ; and article 2782 of the Revised Statutes shall apply to the recorder, *mutatis mutandis*."

34 V., c. 11,  
s. 2, § 1, 55-56  
V., c. 50, s. 9,  
replaced.

**4.** The first paragraph of section 2 of the act 34 Victoria, chapter 11, and section 9 of the act 55-56 Victoria, chapter 50, are replaced by the following :

Certain arti-  
cles of Code  
of Procedure  
apply to re-  
corder and  
recorder's  
court.

"Articles 7, 8, 9, 17, 18, 19, 21, 22, 125, 126, 128, 129, 131, 132, 133, 134, 136, 137, 138, 139, 140, 141, 142, 143, 144, 147, 148, 151, 152, 215, 236, 519, 639, and 679 to 697, inclusively, of the Code of Civil Procedure apply, *mutatis mutandis*, to the recorder of the said city and to the said recorder's court."

29-30 V., c. 57,  
s. 53, replaced

**5.** Section 53 of the act 29-30 Victoria, chapter 57, is replaced by the following :

Complaints  
against cer-  
tain persons  
need not be in  
writing.

"In all cases where a person is arrested on view by a police constable, it is not necessary that the complaint be reduced to writing, but a verbal complaint under oath, made before the said court by the constable who has arrested such person, shall be deemed a sufficient complaint.

Proviso,

If such person demand that the complaint be reduced to writing, the clerk shall reduce it."

24 V., c. 26,  
s. 10, § 1, re-  
placed.

**6.** Subsection 1 of section 10 of the act 24 Victoria, chapter 26, is replaced by the following :

Proceedings  
in default of  
appearance.

"If any person summoned to appear before the said court, as defendant, as witness, as garnishee, or otherwise, does not appear in person or by attorney, then proceedings by default are taken against such person."

24 V., c. 26,  
s. 21, replaced.

**7.** Section 21 of the act 24 Victoria, chapter 26, is replaced by the following :

Proof of ser-  
vice of sum-  
mons.

"In cases of prosecutions for offences, if the summons is effected by a constable or police officer, the service is proved in open court by the oath of such constable or police officer."

27 V., c. 21,  
s. 4, repealed.

**8.** Section 4 of the act 27 Victoria, chapter 21, is repealed.

**9.** Section 63 of the act 29-30 Victoria, chapter 57, is replaced by the following :

“Any warrant of commitment after judgment, issued by the recorder’s court, may be executed in any judicial district of the Province by the sheriff or by any bailiff of the district in which the person to be arrested happens to be.”

29-30 V., c. 57, s. 63, replaced.  
Execution of warrants of commitment after judgment.

**10.** Section 4 of the act 45 Victoria, chapter 27, is replaced by the following :

“When the owner of an immoveable property situate within the city of Quebec, and liable by privilege to the city for taxes or assessments, is unknown or uncertain, the city may apply, by simple petition, to the recorder’s court of the city, for the sale of such immoveable ; and, for that purpose, articles 1026 to 1036, inclusively, of the Code of Civil Procedure apply, *mutatis mutandis*, to the said court, which has all the powers conferred on the Superior Court by the said articles.”

45 V., c. 27, s. 4, replaced.  
Sale of immoveables belonging to unknown persons liable for taxes, &c.

#### POLICE

**11.** Subsections 14, 10, 11 and 12 of section 31 of the act 29 Victoria, chapter 57 are replaced by the following provision :

“Every police officer or constable, when in the execution of his duty, shall arrest on view any person contravening the charter of the city or a by-law of the city council, as well as any vagrant, idle, loitering, loose or disorderly person whom he may find disturbing the public peace or whom he has just reason to suspect of some evil design, as well as any person whom he finds lying or loitering in any field, street, yard, or other place whatsoever in the said city, and not giving a satisfactory account of his presence in such field, street, yard, or other place ; and he shall also arrest any person whom he finds committing any offence against the provisions of articles 2782 to 2794, inclusively, of the Revised Statutes.”

29 V., c. 57, s. 31, §§ 14, 10, 11 and 12, replaced.  
Arrest of vagrants, &c.

**12.** Subsection 15 of section 31 of the act 29 Victoria, chapter 57, is replaced by the following :

“Every vagrant arrested on view shall be taken before the recorder’s court, if the court be sitting, and if the court be not sitting, such person shall be taken to the nearest police station, there to be detained until the next sitting of the court, unless such person gives the bail required by law.”

29 V., c. 57, s. 31, § 15, replaced.  
Confinement &c. of persons arrested on view.

#### LOAN

**13.** The city of Quebec is hereby authorized to borrow a sum not exceeding two hundred and fifty thousand dollars to pay for the cost of works to be done, for rights and prop-

Authority given to borrow certain sum for certain purposes.

erties to be acquired for opening, prolonging, widening, repairing, and paving, streets and public places, and for hydrants, water-works and retaining walls.

Bonds may be issued for such loan

**14.** For the purpose of effecting the said loan, the city is authorized to issue bonds, as it may deem necessary, for the objects above mentioned, which bonds shall be for such sum as the city may deem expedient, and shall be payable within a period not exceeding sixty-five years from their date, with interest not exceeding four per cent per annum, payable half-yearly.

How to be issued, &c.

**15.** The said bonds shall be issued and registered in accordance with the formalities required for the bonds which the city has heretofore been authorized to issue.

Half-yearly payment on account of capital, &c.

**16.** At the same time as the interest, the city shall pay, half-yearly on the capital of the said bonds, a sufficient amount so that, at the maturity of each bond, the capital thereof shall be paid; but such bonds may also be made payable at maturity or in such other manner as the city may deem expedient.

#### MISCELLANEOUS

Tax on bicycles, &c.

**17.** The council of the city may make by-laws to compel the proprietor or possessor or lessee in the city of bicycles, tricycles, velocipedes and other vehicles or machines of the kind used in the city, to pay to the city an annual special tax not exceeding two dollars for each such bicycle, tricycle, velocipede or other vehicle or machine as aforesaid.

Tax on telegraph, &c., posts, &c.

**18.** The said council may also make by-laws to compel any incorporated company to pay to the city an annual special tax not exceeding twenty-five cents upon each wooden or metal post planted or erected or that shall be planted or erected by such company in the streets of the city for telegraph, telephone or electric light lines, or for transporting electric motive power.

60 Vic., c. 59, s. 4, replaced.

**19.** Section 4 of the act 60 Victoria, chapter 59, is replaced by the following :

Snow and ice in streets.

“The council of the city may make by-laws to declare that the city shall undertake to remove snow or ice from its streets or from some of the said streets or from certain portions of the said streets as well as from the sidewalks of such streets or parts of streets; to compel the persons obliged to remove such snow or ice to repay to the city the actual cost of the removal of such snow or ice by the city, after deducting what has to be paid by the Quebec District Railway Company or any other electric tramway company on such

streets as are traversed by such railway or electric tramway, and to regulate the manner of recovering and collecting the expense incurred by the city for that object."

**20.** Subsection 3 of section 20 of the act 29 Victoria, chapter 57, as amended by section 8 of the act 29-30 Victoria, chapter 57, is replaced as follows : 29 V., c. 57, s. 20, § 3, replaced.

" In any case where, after the making up of an assessment book, it shall become necessary to correct or amend the errors or omissions that may be found therein, or whenever persons, not subject to assessment or to any rate or tax whatsoever at the time of the making up of the said assessment book, shall, thereafter and within any period of the fiscal year, become subject to the payment of such assessment, rate or tax, such correction of error or omission, or such addition shall be made in such assessment book on application to that effect addressed by any assessor to the said recorder's court, which, on satisfactory proof of the said demand, shall order that the correction, amendment or addition demanded be made in the said book ; unless sufficient cause to the contrary shall be shown by the party interested. Omitted property, &c.

Such application cannot be made for corrections in the said assessment books for more than five years past, but the said clause shall not apply to cases now pending before the courts. Proviso.

**21.** Section 19 of the act 58 Victoria, chapter 49, is replaced as follows : 58 V., c. 49, s. 19, replaced.

" When a building, which has not been commenced or completed when the assessment books are completed, shall be finished in the course of the fiscal year, and when the entry in the assessment book of such addition to the immoveable shall have been permitted by the recorder's court, the owner of such addition or new building shall be bound to pay to the city the amount of the taxes, assessments and water rates, which shall have been entered in the said assessment book, proportionately to the remaining period of the fiscal year. Addition to assessment books of buildings &c., completed during year.

If, at any time, it be ascertained that a property has been assessed at a leasing value less than the amount for which it has actually been leased, and if such undervaluation be due to inaccurate information supplied to the assessor, it shall be lawful for the said assessor to present a petition to the recorder's court, setting forth the facts, and praying for authority to enter in the said assessment books the additional assessments and taxes which would have been due on the difference between the leasing value entered in the books and that which should have been entered therein. Property entered for less than that for which it is leased.

Such petition shall be served upon the proprietor of the immoveable so undervalued at least five days before pre- Service upon proprietor of petition in such case.

sentation of the same, and proceedings shall be had thereon as in the case of a complaint by ratepayers.

Proviso.

By such petition, no increase of assessments or taxes can be asked for more than the past five fiscal years."

29 V., c. 57,  
s. 36, § 20,  
replaced.

**22.** Subsection 20 of section 36 of the act 29 Victoria, chapter 57, as amended by section 12 of the act 37 Victoria, chapter 50, and by section 27 of the act 38 Victoria, chapter 74, is replaced by the following :

Payment of  
certain sum  
for water-  
rate.

"If the annual assessed value of a property or of any portion of a property is less than forty dollars, the proprietor shall pay to the city an annual specific tax of five dollars for water from the water-works."

59 V., c. 47,  
s. 4, replaced.

**23.** Section 4 of the act 59 Victoria, chapter 47, is replaced as follows :

Reduction on  
water-rates  
for unoccu-  
pied premises.

"In the month following the expiration of any fiscal year, the proprietor, whose property has been vacant for the whole year, or for a period of at least three consecutive months in such year, may obtain a refund, if he has paid, and if he has not, a reduction of the water-rates on such property, proportionate to the time it has been so unoccupied ;

Proviso.

But this refund or reduction shall not include the part of such water-rate corresponding to the three cents in the dollar exacted on all property.

How to be ap-  
plied for.

The application for the above refund or reduction shall be made by summary petition to the recorder's court, after one clear day's notice to the city treasurer.

Meaning of :  
"vacant prop-  
erty."

The words "vacant property" in this section mean property which is not occupied by any one and for which the proprietor has no tenant.

Application  
to officer to  
turn off water,  
&c.

But in order to be entitled to such refund it shall be necessary that the officers of the water-works' department of the city shall have turned off the water from such property on application to that effect ; the proprietor must previously pay to the city one dollar for the cost of turning off the water each time it has so been turned off."

Certain repay-  
ments not to  
be made after  
certain date.

**24.** After the expiration of one year from the sanction of this act, the city shall no longer be obliged to repay the overcharge made in the years between 1877 to 1888 on baths and water-closets.

53 V., c. 68,  
s. 10, repla-  
ced.

**25.** Section 10 of the act 53 Victoria, chapter 68, is replaced by the following :

Application  
of certain arti-  
cles of C.C.P.

"Articles 396, 397, 398, 399, 400, 401, 402, 403, 406, 408, of the Code of Civil Procedure apply to references to experts under the charter of the city of Quebec."

Certain sum  
may be voted  
by council for

**26.** On the occasion of public rejoicings, of demonstrations of a public and popular character, of receptions of

foreign public bodies, and of distinguished personages, public rejoic-  
and under other similar circumstances, or whenever the city ings, &c.  
council deems advisable to pay any sum for remuneration or  
compensation, or to grant relief in case of fire or other great  
calamities, it is lawful for the said council, on a recommenda-  
tion to that effect from the finance committee, to vote or  
authorize, by a resolution of two-thirds of the members of  
the council, the expenditure of an amount not exceeding five  
thousand dollars in any one year, such sum to be taken from  
the general funds of the city.

**27.** Section 17 of the act 29-30 Victoria, chapter 57, is replaced as follows: 29-30 V., c. 57-  
s. 17, repla-  
ced.

“For requiring the removal by any proprietor, tenant or  
occupant of any house, building, or real property whatsoever  
or of any portion thereof in the said city, of all snow, ice,  
manure, mud, soot, filth, or any matter or thing whatsoever  
injurious to health or emitting a bad smell, or contrary to  
cleanliness, in or upon any street, lane or public place adjoining  
such house, building or property on any side whatsoever.” Removal of  
ice &c., in  
streets, &c.

By such by-law it shall be lawful for the council to order  
that the depth of snow or ice to be left in the streets or on  
the sidewalks may be less in some streets than in other  
streets or public squares. Depth of  
snow on  
streets.

But such proprietor, occupant or tenant shall be required to  
make such removal from one-half only of such street or lane,  
or from fifteen feet in width of such public square adjoining  
such house, building or property, in accordance with the by-  
laws made or to be made in that behalf by the council of  
the said city.” Width of  
street to be at  
expense of  
proprietor.

**28.** The park mentioned in section 11 of the act 60 Vic- 60 V., c. 59,  
toria, chapter 59, is declared to be the Victoria Park, and s. 11, repeal-  
ed.  
the said section 11 is repealed, but the loan therein men-  
tioned has been validly authorized.

**29.** The name : “city engineer” is hereby given to the City Engi-  
municipal officer heretofore known as the city surveyor or neer.  
inspector; and the former name is substituted therefor in all  
acts respecting the city and in all by-laws of the city council  
wherein the words city surveyor or inspector may be found.

**30.** Section 27 of the act 33 Victoria, chapter 46, is re- 33 V., c. 46,  
pealed. s. 27, repeal-  
ed.

**31.** Subsections 24, 26, 27 and 28 of section 35 of the act 29 V., c. 57  
29 Victoria, chapter 57, and sections 38 and 40 of the act s. 35, § 24,  
26, 27, 28, 2;  
29-30 Victoria, chapter 57, are repealed. 30 V., c. 57,  
ss. 38 and  
repealed.  
Interpreta-  
tion.

**32.** This act forms part of the acts that it amends.



Coming into  
force.

**33.** This act shall come into force on the day of its sanction.

### CAP. LIII

#### An Act to amend the charter of the city of Montreal

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS the city of Montreal has, by its petition, represented that it is expedient to grant it a temporary aid in order to enable it to meet its obligations and engagements, and carry out certain permanent works which are urgently required in 1898 ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

City authorized to borrow \$117,824, for certain purposes,

**1.** The city of Montreal is hereby authorized to borrow and use, in 1898, the balance of the borrowing powers granted to the city by the act 60 Victoria, chapter 60, viz : the sum of \$187,824, for the purposes mentioned in the said act ; less \$50,000 for the Market Committee and \$20,000 for the Police Committee, reducing the said sum to be borrowed to \$117,824.

Certain other sum of \$375,000, for certain other purposes.

**2.** The city of Montreal is also authorized to borrow the sum of \$375,000 to be used to pay the obligations and to carry out the works hereinafter mentioned, which may be required and approved of in virtue of this act, in 1898, viz :

(1) Judgments of courts, expenses for vaccination, subscriptions for the Queen's Jubilee, for the sufferers by fire in Casselman, and other liabilities .....	90,000
(2) Road Committee : \$75,000, for main sewer in St. Denis Ward ; \$27,000 for paving Notre-Dame St. West ; \$20,000 for wooden sidewalks, and \$73,000 for other permanent works absolutely required .....	195,000
(3) Waterworks : for pipe-laying, reservoirs, new services, and hydrants .....	75,000
(4) Health .....	5,000
(5) Markets .....	5,000
(6) St. Helen's Island .....	2,500
(7) Mount Royal Park .....	2,500

\$375,000

**3.** The city of Montreal is further authorized to borrow a sum of \$310,000 for the following purposes :

(1) City's contribution for building the East End Station.....	\$ 100,000
(2) Damages in suspended expropriations.....	125,000
(3) Increased indemnity in expropriation cases	50,000
(4) Amount which the city shall perhaps be called upon to pay for Lacroix Street Bridge.....	35,000
	<hr/>
	\$ 310,000

Certain further sum of \$310,000 for other purposes.

**4.** It shall in no case be lawful to change or alter the amounts borrowed for the foregoing purposes, so that an amount unexpended for one of the said objects shall be applied for any other or others.

Sums borrowed not to be applied to other purposes.

**5.** The above mentioned loans shall only be effected by means of temporary obligations for terms maturing not later than the 1st of May, 1899; they shall be effected at different times, only as required in connection with the foregoing purposes and after the same have been resolved by a vote of the majority of the members of the entire council; the said obligations shall be valid only when certified by the city comptroller to the effect that they are made in accordance with, and for the objects for which the loan in each case is authorized; they shall be signed by the mayor, the city-clerk, and the city-treasurer, shall be redeemable out of the revenue account, or otherwise, and shall bear interest at a rate not exceeding four per cent per annum; and any loan not effected in accordance with the foregoing conditions, and each of them, shall be illegal, null and void.

How loans to be effected, &c.

**6.** The council of the city shall have no power to place any loans, temporary or otherwise, or to borrow or expend on permanent works, during the year 1898, any sum of money whatsoever, beyond the sums above mentioned, except temporarily, in anticipation of the revenue in accordance with the charter; provided, always, that the city may renew, from time to time, the presently outstanding bonds, representing the proprietors' shares in street improvements, until these shall be met by the collection of the special assessments made therefor.

Limit of borrowing power except by certain temporary loans.

**7.** Nothing in this act contained shall be interpreted as preventing the city from making permanent loans up to the limit of its borrowing powers.

Interpretation of act.

**8.** This act shall come into force on the day of its sanction.

Coming into force.

## CAP. LIV

## An Act to amend the various acts respecting the corporation of the city of Three Rivers

[Assented to 15th January, 1898]

## Preamble.

**W**HEREAS the corporation of the city of Three Rivers has, by its petition, prayed that certain amendments be made to the act 38 Victoria, chapter 76, and to the various acts amending the same, and whereas it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Bonds may be issued for construction, &c., of sewers.

**1.** The city council may of its own accord, when it deems the same expedient, order the construction of sewers in any street, part of a street or lane in the city, and it is hereby authorized to issue bonds or otherwise contract on the credit of the city of Three Rivers a debt not exceeding fifteen thousand dollars.

How bonds shall be signed, &c.

The bonds, so issued specially and solely for the object above mentioned, shall be issued under the signature of the mayor, the counter-signature of the secretary-treasurer and the seal of the corporation, and shall bear interest, semi-annually, on the first day of May and first day of November of each year, at a rate not exceeding five per cent per annum ; and coupons for the amount of the half-yearly interest thereon, may be annexed to such bonds.

How coupons shall be signed.

The coupons shall be signed by the secretary-treasurer, and shall be payable respectively to the bearers thereof, when and so soon as the half-yearly interest therein mentioned shall become due, and shall on payment thereof be handed to the corporation.

Proof of payment of coupons.

The possession of any such coupons shall be *prima facie* evidence that the half-yearly interest mentioned therein is paid according to the tenor of the bonds.

Bonds how secured.

All these bonds, both interest and capital, shall be secured by special and privileged hypothecs on the said sewers.

Special tax for payment of certain sums.

The sums hereafter expended in virtue of this section shall be added to the cost of the sewers already constructed in virtue of section 16 of the act 53 Victoria, chapter 69, and the council shall continue to levy a special tax on all proprietors of property on the streets or parts of streets where such sewers are situated, which tax shall be based upon the value of their properties as established by the valuation roll, and shall be for the purpose of meeting the annual interest on such bonds, at the rate fixed and their sinking fund.

Bonds for paving streets, &c.

**2.** The council shall have power to issue bonds or otherwise contract on the credit of the city a sum not exceeding

twenty thousand dollars, for the purpose of continuing to pave, macadamize or plank any street or part of a street which it may deem expedient.

The second, third and fourth clauses of the preceding section shall apply to the issue of these bonds as if they formed part of this section. Application of previous section.

**3.** The tolls or dues which may have been levied until now on persons, animals, vehicles, merchandise, produce or other articles passing on the bridges, over the river St Maurice, which belong to the corporation of the city, shall be deemed to have been lawfully collected as if they had been approved by the Lieutenant-Governor in Council in accordance with section 1 of the act 41 Victoria, chapter 30. Certain tolls declared to have been lawfully collected.

**4.** The following subsection is added after subsection 3, of section 80 of the act 38 Victoria, chapter 76 : 38 V., c. 76, s. 80, amended.

“4. To cause to be killed or slaughtered, at any place within the city, any animal attacked by a contagious disease, when such disease shall be established by the certificate of a veterinary surgeon.” Slaughter of diseased animals.

**5.** It shall be lawful for the corporation, if it deem it desirable and expedient, after having given public notice in the usual manner, to sell by auction the daily receipts of one or more markets of the city for a period not exceeding twelve months in the case of each sale ; or, if it prefer, keep possession of such markets and continue to collect the daily revenues or receipts therefrom. Sale of market revenues by auction.

**6.** The school commissioners of the city of Three Rivers are authorized to borrow an amount not exceeding in the aggregate twenty-five thousand dollars for the following purposes only : nineteen thousand dollars for consolidating their debts actually existing, created for the purchase of various lands and properties and for the redemption of temporary obligations to become due ; six thousand dollars for the enlargement and building of new schools. School commissioners may borrow certain sums.

The bonds, so issued specially and solely for the purpose above mentioned, shall be issued under the signature of the chairman and of the secretary-treasurer of the said school commissioners and the seal of the said city, and shall be payable to bearer ; they shall bear interest half-yearly on the first day of May and first day of November of each year, at a rate not exceeding five per cent per annum, and to all such bonds there may be annexed coupons for the amount of the half-yearly interest thereon, which coupons shall be signed by the secretary-treasurer and shall be payable to the holder thereof ; the possession by the said school commissioners of any such coupon shall be *prima facie* proof Bonds and how to be signed, &c.

that the half-yearly interest mentioned therein has been paid.

Bonds how  
secured.

All these bonds, in capital and interest, shall be secured by special and privileged lien on the immoveable properties of the said school commissioners.

R. S., 4213,  
§ 6, to form  
part of char-  
ter.

**7.** Paragraph 6 of article 4213 of the Revised Statutes shall form part of the charter of the city of Three Rivers.

## C A P. L V

An Act to amend the charter of the city of St. Henri

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS the city of St. Henri has, by petition, represented that it is desirable to effect certain amendments to its charter and to grant it more ample powers, and it is expedient to grant its prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

60 V., c. 62,  
art. 95, re-  
placed.

**1.** Article 95 of the charter of the city of St. Henri, 60 Victoria, chapter 62, is replaced by the following :

Liquor shops  
to be closed  
during cer-  
tain hours on  
polling day.  
Penalty.

**" 95.** During the whole time that the polls are open and for two hours after they are closed, every store or licensed house for the sale of spirituous or fermented liquors in any ward in which there is voting shall be closed, under a penalty of a fine of one hundred dollars, and of three months' imprisonment in default of payment."

Id. 397,  
amended.

**2.** The first paragraph of article 397 of the charter is replaced by the following :

Valuation of  
taxable pro-  
perty when to  
be made.

**" 397.** It is the duty of the valuator in office to make, every second year at the time ordered by the council, the valuation of the taxable property in the city."

Art. added  
after id., 397.

**3.** The following article is added after article 397 of the charter :

Valuation roll  
for 1898 to re-  
main in force  
for 1899.

**" 397a.** The valuation roll made for the year 1898 shall remain in force for the year 1899, saving the following provisions :

Roll to be  
revised dur-  
ing 1898.

**1.** In the course of the year 1898, at the time ordered by the council, the valuator in office shall make a revision of the valuation roll in force, which revision shall comprise the information not already contained in the said roll.

2. Such revision shall be afterwards made for every year when no new valuation roll is to be made under article 397 of the charter. Revision to be made every year that no roll is made.

3. The valuator in office, while making the revision of the valuation roll, shall act *mutatis mutandis* in accordance with the provisions of the charter respecting the making of the roll, which shall apply *mutatis mutandis* to the revision for all intents and purposes." Duties of valuator when making revision.

4. The following article is added after article 450 of the charter : Art. added after id. 450.

" **450a.** It shall be lawful for the council of the city of St. Henri to impose and levy an annual tax on every person residing in the municipality and practising therein the profession of advocate, physician, notary, dentist, veterinary surgeon, or any other liberal profession, provided that such tax do not exceed five dollars per annum." Taxes on professional men.

5. Article 523 of the charter is replaced by the following : Id. 523, replaced.

" **523.** Whenever, in the case of the opening and widening of a street, or for establishing a square, public place or market, the council shall find it more advantageous for the city to expropriate more than the land strictly required for the proposed improvement, the city shall have the right to expropriate such portion of the land constituting the remainder of the expropriated property, with the consent of the proprietor, by proceeding for such expropriation according to the formalities prescribed by the charter and its amendments for cases of ordinary expropriation. Council may expropriate more land than is absolutely required.

In such case, as well as in every case when it shall have lawfully become the owner of an immoveable, the city shall have the right to sell, exchange, and make over, in whole or in part, the residue of the property expropriated, provided such sale be effected by public auction to the highest and last bidder, in the manner in which the same shall have been determined by a resolution of the council." May sell surplus land, &c.

6. Article 524 of the charter is replaced by the following : Id. 524, replaced.

" **524.** The city shall have the right to acquire, for municipal purposes, properties without or within its limits, provided that, as regards the property outside, it shall obtain, from the municipality within which the property is so situated, the authorization to use the same for the purpose for which it has been purchased. Acquisition of property by city. Consent required, if beyond limits.

As regards the acquisition of property within the limits of the city, the latter may proceed in virtue of the provisions of its charter which apply to ordinary expropriations." Proceedings, if within limits.

Id. 526, re-  
placed.

When pro-  
ceedings in  
expropriation  
are to be had.

Proviso.

Id. 565, re-  
placed.

Jurisdiction  
in suits for :

Taxes ;

Money due as  
rent of butch-  
ers stalls, &c. :

Water-rates ;

Servants' wa-  
ges ;

Fines under  
regulations of  
Board of  
Health.

Titles and ar-  
ticles added  
after id. art.  
652.

**7.** Article 526 of the charter is replaced by the following :

**" 526.** Notwithstanding the provisions contained in articles 363, 364 and 365, the city cannot be compelled to proceed to such expropriation of the properties indicated as to be expropriated for any improvement whatsoever on the homologated plans for the streets of the city, except when the council shall have decided to proceed with such expropriation ; but such expropriation shall be made within five years from the 21st December, 1897, except for the expropriation of St. James street from the line of the Grand Trunk Railway to the western limits of the city."

**8.** Article 565 of the charter is replaced by the following :

**" 565.** It has the jurisdiction of a recorder, and shall hear and determine summarily :

1. Any action brought for the recovery of any sum of money due to the corporation for any tax or assessment imposed by any by-law or resolution of the council ;

2. Any action for the recovery of any sum of money due to the corporation, for the rent or license of any butcher's stall, or other stall or stand in or upon any of the public markets in the city, in virtue of any by-law of the council, or for any tax or duty imposed and levied in and upon the public markets or private butchers' stalls in the city ;

3. Any action for the recovery of water-rates, or any sum of money that may be due and payable for the supply of water furnished from the Montreal Water and Power Company to any house or building or for the use of any person in the city ;

4. Any action for the recovery of the wages of servants, apprentices, domestics or journeymen, or of damages arising out of the hire of work, the amount of which shall not exceed twenty-five dollars ;

5. Any suit for the recovery of any fine or penalty imposed in virtue of the regulations of the Board of Health of the Province of Quebec."

**9.** The following articles and titles are added after article 652 of the charter :

## " TITLE XXVI.

### FINANCES.

Fiscal year.  
Taxes, &c.,  
deemed to be  
imposed from  
1st May to 1st  
May.

**" 653.** The fiscal year in the city of St. Henri may be determined by a by-law of the council ; but the yearly taxes and assessments are deemed to be imposed and levied for the period comprised between the first day of May of each year and the same date of the following year.

**“ 654.** The council may, from amongst its members, Committees of council. appoint as many committees as may be necessary for the expediting of the business and the execution of the duties assigned to them by the by-law.

**“ 655.** Every year, at the time fixed by the by-law mentioned in article 653, the finance committee shall make an *interim* appropriation for the ordinary current expenses of the city, during the period of the fiscal year, between the day fixed by by-law as aforesaid and the making of the appropriation hereinafter provided for ; which, on being approved by the council, will have force until such last mentioned appropriation be made. Afterwards, on or before the first day of May, the council shall make an appropriation of the amounts necessary to meet the expenditure of the current fiscal year, by providing :

Interim appropriations for certain expenses.

Annual appropriations for :

1. For the payment of the interest on the debt due by the city, and for such sum as shall be required during the year for the sinking fund ; Payment of interest, &c.
2. For the general and ordinary expenditure of the city ; General expenditure ;
3. For the sum necessary for contemplated improvements ; Improvements ;
4. For a reserve of not less than five per cent on the gross revenue of the preceding year to be used exclusively to meet unforeseen expenditure. Reserve fund.

**“ 656.** Such appropriation shall never exceed the amount of the expenses of the preceding year, added to the balance of such receipts remaining unexpended. Limit of appropriation.

**“ 657.** It shall not be lawful for the council to expend any greater sum of money in the aggregate than the total amount so appropriated, except in the cases and under the conditions hereinafter set forth ; but it may, at any time, vary the application of the sums appropriated to any committee, to any other purpose within the jurisdiction of such committee. Council not to exceed appropriations.

**“ 658.** Any member of the council who approves of the expenditure of any sum of money beyond the amounts so appropriated and the amounts at the disposal of the council, or of any committee, in conformity with the foregoing articles, shall be personally responsible therefor. Liability of member of council who assents to excess of expenditure.

**“ 659.** In cases of urgent necessity, the council may, by by-law, make any appropriation it may think necessary beyond the amounts at its disposal ; provided that, by such by-law, an additional assessment shall be imposed, payable during the course of the year in which such by-law is passed, and sufficient to cover the amount so appropriated ; which assessment shall be imposed, recovered and collected Appropriations in cases of urgent necessity. Special tax to be levied therefor.



in the same manner as the ordinary taxes and assessments imposed and levied in virtue of this act.

## TITLE XXVII.

### CONSOLIDATION OF THE DEBT.

#### ISSUE OF DEBENTURE STOCK.

Issue of  
permanent  
debenture  
stock.

Interest  
thereon.

Privilege  
therefor.

“**660.** The city may issue permanent debenture stock payable either in currency or sterling, in accordance with articles 445 and 481 of the charter.

Such debenture stock shall bear interest at a rate not exceeding three and a half per cent. per annum and shall constitute a first and privileged charge upon the property and revenues of the city, subject always however to the prior charge of the presently existing outstanding bonds and consolidated stock, in so far as the same shall remain unredeemed.

Sum to be set  
aside to pay  
the same.

“**661.** The city in making such issue shall set apart and retain a portion thereof sufficient to produce, at the market price of such issue on the London stock exchange, a capital equivalent to the then existing debt.

Application  
thereof.

Such portion, or the proceeds thereof, shall be used exclusively for the extinction, by exchange, redemption, purchase or repayment of the existing debt and permanent stock respectively, in such manner as shall be determined by the corporation; provided that nothing herein contained shall be held as authorizing the said corporation to compel any of its creditors or bondholders to accept payment of his debt before the maturity thereof, or of any irredeemable stock heretofore issued by the said city.

Application of  
remainder of  
issue.

“**662.** The remainder of the issue hereby authorized shall be used for permanent works, that is to say:—(1) drainage, (2) street opening, (3) paving of streets and sidewalks, (4) fire and police stations, (5) public parks, (6) hospitals for epidemic and other diseases.

By law to be  
made respect-  
ing issue, &c.

“**663.** Before making the said issue, the city council shall make a by-law regulating the manner, and limiting the amounts in which such issue may be made, the place or places where the interest on such debenture stock shall be payable, and where it may be registered; the mode and effect of the registration thereof and the mode of evidencing such registration; the transfer or transmission of such stock and the issue of certificates therefor; the closing of the registers and transfer books; and all other matters of detail concerning such debenture stock, not being contrary to law or to the provisions of this act. Such by-law shall constitute the basis of issue of such debenture stock and shall

not be altered or amended but shall remain in force so long as any such stock remains outstanding.

**“ 664.** The bonds and securities of the city, already redeemed, by means of the sinking fund heretofore created, shall be forthwith cancelled and destroyed, and it shall not be necessary, in future, to provide for the redemption of the existing debt of the said city, otherwise than by the issue of debenture stock under the powers hereby conferred upon it.

Cancelling of redeemed bonds, &c.  
How redemption of debt is to be hereafter provided for.

**“ 665.** The borrowing powers, heretofore granted to the city, shall cease upon the coming into force of this act, and all provisions of any previous acts, inconsistent with this act, are hereby repealed, saving the right to borrow in accordance with article 490 of the charter ; but such of the said provisions as may apply to the registration, privilege, ranking and transfer of any stock or bonds of the city now outstanding, shall continue to have force and effect as respects such stock and bonds only.

Certain borrowing powers to cease and certain acts repealed.  
Proviso.

**“ 666.** If, at any time, the moneys in the hands of the city clerk, applicable to the payment of the interest or principal of any of the loans heretofore authorized and made, or of any interest due upon any debenture stock issued under this act, be insufficient to pay such interest or principal, it shall be the duty of the clerk to calculate what rate upon the assessed value of the immoveable property, liable to assessment in the city, will, in his opinion, (after making fair allowances for expenses, losses and deficiencies in the collection of such rate,) be required to produce a sum sufficient, with the moneys in his hands applicable to the purpose, to pay the sum due for such interest or principal, or both, and to certify such rate under his hand to the city council, for the information of the latter (in the form L).

If moneys on hand insufficient to pay interest due, city-clerk to certify to council rate necessary to cover.

**“ 667.** Such certificate shall have the like effect as a by-law of the council lawfully imposing the rate therein mentioned, and shall be obeyed and acted upon by all officers of the corporation and by all others ; and the said rate shall be forthwith levied and collected accordingly, in addition to any other rates lawfully imposed by any by-law of the council.

Effect of certificate.

All the provisions of this act, respecting the privileges, prescriptions, procedure and remedies applicable to ordinary assessments, shall equally apply to the rate herein provided for.

Laws applicable to such rate.

**“ 668.** On the issuing of a writ of execution commanding the sheriff to levy any sum of money due by the

Council may order sheriff to levy by rate

any sum due under execution for interest or principal of debentures.

corporation for the interest or principal of any loan heretofore made by the city, or for the interest on any debenture stock issued under the provisions of this or any previous act, the plaintiff may require, and the court may order, that such execution be levied by rate; and, if such order be made, the sheriff shall cause a copy of such writ to be served upon the city clerk.

Sheriff to calculate rate necessary to cover amount of execution.

If the money therein mentioned with all the lawful interest and costs, which the sheriff is commanded to levy, be not paid within one month, from the time of such service, the sheriff shall himself calculate, as nearly as may be, what rate upon the assessed value of the immoveable property liable to assessment in the city will, in his opinion, after making fair allowances for expenses, losses and deficiencies in the collection of such rate, be required to produce a net amount equal to the sum, interest and costs he is commanded to levy.

Amount to be certified by sheriff and city clerk. Effects thereof.

He shall certify such rate under his hand to the city clerk for the information of the council, in the manner and form, *mutatis mutandis*, prescribed for the certificate of the clerk in the next preceding articles; and thereupon such certificate shall have the same effect, in all respects, as the certificate of the clerk hereinbefore provided for.

Laws to apply to such rate.

All the provisions of this act, respecting the levy and collection of a rate under the certificate of the clerk, shall apply to the levy and collection of a rate under the certificate of the sheriff.

Duty of municipal officers to communicate rolls, &c., to sheriff, &c.

“**669.** It shall be the duty of the clerk, assessors, and other officers of the corporation, to produce to the sheriff, on his demand, all assessment-rolls, papers and documents requisite for enabling him to fix the rate hereinbefore mentioned, and to give him any information or assistance which he may require for the purposes thereof, and such officers shall, for all the purposes of this and the preceding articles, be deemed officers of the court and amenable to and punishable by such court accordingly, in case of any failure to perform any of the duties hereby assigned to them respectively.

Penalty.

Payment over to sheriff of amount received for such interest.

“**670.** The proceeds of the said rate shall, by the treasurer, be paid over to the sheriff, who shall apply the same to the satisfaction of the debt, interest and costs he was commanded to levy, and, if there be a surplus, it shall be paid back to the clerk and applied to the general purposes of the city.”

Acquisition of certain property ratified.

**10.** The acquisition by the city, from the late Honorable Senator Charles Séraphin Rodier, for the price of seventeen thousand five hundred dollars, of the property situated on St.

James street, being lots Nos. 21, 22, 24, 25, 26, 27 and 28 of the official subdivision of lot No. 29 in the city of St. Henri, in accordance with article 524 of the charter, is confirmed and ratified to all intents and purposes, without prejudice however to pending cases, if any there be.

**11.** The following form is added after Form K of the Form added. charter :

### FORM L.

#### " CERTIFICATE OF THE CITY CLERK OF ASSESSABLE RATE.

"I hereby certify, for the information of the council of the city of St. Henri, that a rate of \_\_\_\_\_ on the assessed value of the immoveable property liable to assessment in the said city, is in my opinion (after making a fair allowance for losses and deficits in the collection of such rate,) required to produce a net amount equal to that now due for interest, (principal, *if any due*) on the city of St. Henri consolidated fund or any of the loans which the city is authorized to make.

A. B.,  
City Clerk.

CITY HALL,  
St. Henri, 18 ."

**12.** This act shall come into force on the day of its sanc- Coming into force.  
tion.

### C A P. L V I

An Act to amend the charter of the city of Hull

[Assented to 15th January, 1898]

**W**HEREAS the city of Hull has, by its petition, prayed Preamble.  
for an act to amend its charter, and it is expedient to grant its prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The following clause is added at the end of section 1 56 V., c. 52, s. 1. amended.  
of the act 56 Victoria, chapter 52 :

"The words : " immoveable property " designate a lot of Interpretation of : " immoveable property."  
land situated within the limits of the city, or a building or buildings thereon."

**2.** Paragraph 4 of section 17 of the act 56 Victoria, chap- Id., s. 17, § 4, replaced.  
ter 52, is replaced by the following :

If a minister, &c.      "4. If he is in holy orders, or a minister or teacher of any religious sect, or a judge of a court of justice, or a member of Her Majesty's Privy Council, or of the Executive Council of the Province of Quebec."

Id. s. 18, § 6, replaced,      **3.** Subsection 6 of section 18 of the act 56 Victoria, chapter 52, is replaced by the following :

Keepers of taverns, &c.      "6. Keepers of taverns or hotels or licensed liquor sellers ;"

Id., s. 32, amended :      **4.** Section 32 of the act 56 Victoria, chapter 52, is amended :

§ 1, replaced.      (a) By replacing subsection 1 by the following :

Qualification of owners of immoveable property ;      "1. Every male person entered, on the last assessment roll, as the owner of immoveable property in such ward, of the assessed value of two hundred dollars or upwards, or of the assessed yearly value of twenty dollars or upwards ;

Joint owners ;      If such immoveable property is owned by several persons *par indivis*, each of them shall be entitled to a vote, provided the proportion of the assessed value of the property, corresponding to his share thereof, amounts to a sum sufficient to qualify him as an elector under the provisions hereof ;"

§ 4 replaced.      (b) By replacing subsection 4 by the following :

Qualification of tenants.      "4. Every person whose name is entered on the last valuation roll as tenant paying a rent of at least twenty dollars per annum for an immoveable property or part of an immoveable property taxed and who, for six months previous to the election, has been a *bonâ fide* tenant, at a rent of at least twenty dollars per annum, of such property or portion of a property, or of several properties or portions of properties successively and without interruption during the said period."

Id. s. 33, replaced.      **5.** Section 33 of the act 56 Victoria, chapter 52, is replaced by the following :

Joint tenants ;      "**33.** When there are several joint tenants, each one is entitled to a vote, provided the proportion of the amount of the rent assessed and agreed upon, corresponding to his share, amounts to a sum sufficient to qualify him under the preceding section.

Tenants of stores :      Such tenant or tenants must reside on the premises leased, with the exception of tenants of stores, counting-houses, shops, offices or places of business ; provided, always, that no municipal elector shall have the right to have his vote registered unless he has paid, before the fifteenth day of December preceding the polling day, the municipal and school taxes then due ; and every candidate at such election, or his representative at any poll, or the person presiding at the election, may compel him to produce the receipt for the

Proviso.

payment of such taxes due and paid as aforesaid; and in the event of an elector having lost his receipt, he shall produce a certificate, which the city clerk shall give him for the purpose of voting, that he has paid the taxes at the time above mentioned, and, in default of his producing such receipt or certificate, the debtor shall not vote at such election."

**6.** The following is added after the said section 33 of the act 56 Victoria, chapter 52: Section added after id., sec. 33.

**"33a.** The obligation respecting the payment of municipal and school taxes imposed upon the municipal electors to be qualified to vote shall apply only to tenants, proprietors and occupants being dispensed from such obligation; but such exemption shall take effect only after the elections of the month of January, 1898." Payment of taxes not to apply to owners.

**7.** Section 63 of the act 56 Victoria, chapter 52, is replaced by the following: Id. s. 63, replaced.

**"63.** The council shall have jurisdiction throughout the entire extent of the city. Jurisdiction &c., of council.

The meetings of the council shall be public. Meetings.

The quorum shall be seven members, and to constitute such quorum the mayor shall be considered as a member. Quorum.

The council shall meet at least once a month, namely, on the first Monday of each month, if it be a juridical day, and if not, on the following juridical day, and may adjourn its sittings to a future day. When sessions are held.

The council shall meet in the city-hall." Where held.

**8.** The following section is added after section 64 of the act 56 Victoria, chapter 52. Section added after id., s. 64.

**"64z.** Such notice shall be of at least one clear day." Delay on notice.

**9.** Section 87 of the act 56 Victoria, chapter 52, is replaced by the following: Id., sec. 87, replaced.

**"87.** No one shall be allowed to vote on such by-law, unless his name be inscribed, on the valuation roll in force, as a municipal elector and proprietor." Who may vote on by-laws.

**10.** Section 99 of the act 56 Victoria, chapter 52, is replaced by the following: Id., s. 99, replaced.

**"99.** The city clerk shall have the custody of the valuation rolls, books, registers, reports, *procès-verbaux*, plans, maps, archives, documents and papers belonging to the city council. City clerk custodian of valuation rolls &c.

Copies certified by him.

Every copy of, or extract from any such roll, book, register, report, *procès-verbal*, plan, map, document and paper, certified by such city-clerk, shall make *prima facie* proof.

City treasurer custodian of valuation rolls, &c.

The city treasurer shall have the custody of the collection rolls and of the acts of apportionment, and copies thereof or extracts therefrom certified by him shall also make *prima facie* proof.

Section added after id., s. 102.

**11.** The following section is added after section 102 of the act 56 Victoria, chapter 52 :

Payments by treasurer of amounts under ten dollars.

**"102a.** The treasurer may, however, in case of urgency, on the order of the mayor, effect payments not exceeding ten dollars on one and the same day."

Id., s. 108 replaced.

**12.** Section 108 of the act 56 Victoria, chapter 52, is replaced by the following :

Collector of water-works' revenues not to pay out moneys except upon certain order.

**"108.** The water-works' collector shall make no payment out of the funds collected by him, and of which he is depository, except upon the order of the council, which order shall be communicated to him by the city clerk, and the production by the collector of the water-works' revenues of such order shall be *prima facie* proof that the sum therein mentioned has been paid."

Id., s. 328 repealed.

**13.** Section 328 of the act 56 Victoria, chapter 52, is replaced by the following :

Basis of valuation of real estate.

**"328.** The assessors, in assessing the real estate in the city, shall take, as a basis for their valuation, the actual value of the property. Nevertheless, in determining the value to be given to lands used for agricultural purposes, situated within the limits of the city, regard must be had to the value of such lands and the buildings thereon for agricultural purposes only ; and provided, further, that in the case of those properties that are situated outside of the toll-gates, a deduction of one-third shall be made in the amount of taxes on such properties until such time as the city council shall provide a direct road to the city, which can be used in lieu of the turnpike road. Front street is not to be considered as a direct road for proprietors on the Gatineau road."

Section added after id., s. 337.

**14.** The following section is added after section 337 of the act 56 Victoria, chapter 52 :

When supplementary roll comes into force.

**"337a.** In cases where it may become necessary to order and make such supplementary roll, the said roll shall come into force by resolution of the council, after a notice of eight days shall have been previously given to the parties interested."

**15.** Section 339 of the act 56 Victoria, chapter 52, is repealed. Id., s. 339 repealed.

**16.** Sections 344, 345, 346, 347, 348, 349, 350, 353, 357, 358, and 361 of the act 56 Victoria, chapter 52, are replaced by the following : Id., s. 344 to 350, 353, 357, 358 and 361 replaced.

**“ 344.** The sale of immoveable property liable for taxes is held in conformity with the following provisions, and the prescriptions of the Municipal Code and of the laws respecting Education do not apply, except for cases not provided for by this act. Sales of immoveables for arrears of taxes how to be held.

**“ 345.** The city clerk shall sell or cause to be sold, yearly, at the office of the council, or at any other place fixed by the council, on the last Wednesday of September, at the hour of ten in the forenoon, in the manner hereinafter prescribed, the immoveable property indebted for municipal and school taxes or dues and which are due for at least one year. Yearly sale of such property.

**“ 346.** In the month of June in each year, the city clerk, the secretary-treasurer of the school commissioners and the secretary-treasurer of the dissentient school trustees, shall prepare a list or table setting forth: List of immoveables to be prepared and what to contain.

The description as given in the valuation roll, or other summary description, of all the immoveable property situated in the municipality upon which municipal and school taxes or other dues are due for at least one year, with the name of the proprietors as set forth on the valuation roll ; if the land itself belongs to one proprietor and if the buildings and other improvements belong to another proprietor, the notice shall mention the names of both proprietors, and the sale of these immoveables shall be made on these two proprietors.

Opposite the description of the immoveable property, the amount of the claims due and exigible affecting them.

**“ 347.** Such list is accompanied by a public notice which shall be posted in the council hall in the month of July, announcing that the said immoveable property shall be sold by public auction at the place where the city council holds its sittings or at any other place fixed by the council, on the last Wednesday in September following, at the hour of ten in the forenoon, in default of the payment of the municipal or school taxes and dues by which they are affected and the costs incurred. Notice to accompany list.

**“ 348.** The council and the board of school commissioners or trustees of dissentient schools, each in its own respective case, may, by resolution, at any time before the sale, prevent the sale of any such immoveable property that they Sale of any lots may be stopped.



deem advisable, in the interest of the corporation, to withdraw from the sale.

Notice to be given of day &c., of sale.

**"349.** The city clerk and the secretary-treasurers of the school commissioners and trustees, respectively, shall during the first fortnight of August in each year, give notice in the ordinary manner of the day, hour and place, when and where the sale is to be held.

Notice to be accompanied by list.

Such notice, as well as copies of those which have been posted up, shall be accompanied by the list of the immoveable property to be so sold, as well as the amount of the municipal and school taxes, as the case may be, and the costs due upon each respectively.

Secretary-treasurer of schools to send list and notice to city clerk who is bound to publish the same.

The secretary-treasurer of the school commissioners and the secretary-treasurer of the school trustees of dissentient schools, when necessary, shall transmit before the fifteenth of August of each year, to the city clerk, a certified copy of the above mentioned notice with the list accompanying the same, and the said city clerk shall cause them to be published, along with his own notice and list, twice in French and English in the *Quebec Official Gazette*, during the month of August before the sale, distinguishing, however, the sums due for municipal dues from those for school dues and costs respectively.

Special notice to be given to proprietors.

**"350.** The city clerk and the secretary-treasurer of the school commissioners or trustees, as the case may be, are obliged to give, during the course of the month of June, a special notice to each person whose property is to be sold, by registered letter sent through the post office to the address of such person.

Proceedings at sale.

**"353.** At the time fixed for the sale, the city clerk or some one else on his behalf, separately sells to the highest and last bidder the immoveable property described in the list, upon which municipal or school taxes are still due, after announcing the amount to be levied on each, including the costs incurred for each sale.

Costs of notice.

The expense of advertizing and publishing are equally divided between each property advertized or sold.

Deposit of surplus, after payment of taxes &c., for proprietor.

**"357.** If, after the sale of an immoveable property, there is any money left of the price for which it was sold, after payment of the municipal and school taxes and dues as well as the costs, the surplus is deposited by the city clerk in the city treasury, to be afterwards paid over to the proprietor of the immoveable sold on his application, but without interest.

When to be paid over.

The surplus, if any as aforesaid, shall in no case be paid over to the proprietor of the immoveable sold before the expiration of fifteen days after the day of the sale, and if

such money has not been seized by writ of attachment or otherwise in the hands of the corporation.

**"358.** If, within two years after the adjudication, the property sold has not been redeemed, the purchaser remains the irrevocable owner thereof; and, upon payment of all municipal and school taxes due and payable during the interval upon such property, such purchaser is, at the expiration of the said two years, entitled to a deed of sale of such property from the corporation.

Title to purchaser if property not redeemed.

**"361.** The corporation and the board of school commissioners or trustees may bid upon the property and become purchasers thereof, through the mayor or any other person authorized by the council or either of the said school boards, without being obliged to pay the purchase price at once; but no employee of the corporation or of either school board shall, directly or indirectly, bid upon any of such immoveable property or become purchaser thereof; and if he does so, such bid or such adjudication shall be null and the said employee shall lose the sum which he has paid."

City and school boards may bid &c.

Employees not to bid.

**17.** Section 356 of the said act 56 Victoria, chapter 52, is replaced by the following :

Id., s. 356 replaced.

**"356.** The proprietor of the immoveables sold or any other person may redeem the same, but only in the name and for the benefit of the person who was the proprietor thereof at the time of the sale, who shall re-assume his rights.

Who may redeem.

The redemption can only be effected during the two years following the date of the sale, by paying into the hands of the city clerk the amount paid by the purchaser, with interest at fifteen per cent per year or part of a year on the price of the adjudication, and by paying to the purchaser the amount necessarily expended for preserving the immoveable."

When and how redemption is effected.

**18.** The following section is added after section 367 of the act 56 Victoria, chapter 52:

Sec. added after id., s. 367.

**"367a.** Subject to the conditions and restrictions contained in section 367, the monthly contribution shall be considered as a school tax, and, as such, shall create a hypothec upon the immoveable property taxed or valued, but only for that which may be due by the proprietor of the said immoveable property, the recourse given against the tenant respecting the collection of such monthly contribution remaining a personal recourse against him."

Monthly contribution considered as school tax, &c.

Id., sec. 368,  
370 and 371  
replaced.

**19.** Sections 368, 370 and 371 of the act 56 Victoria, chapter 52, are replaced by the following :

How taxes  
and contribu-  
tions are im-  
posed.

**"368.** School taxes and the monthly contribution shall be imposed in the city by resolution of the school commissioners or trustees, and shall be levied in the manner which the school commissioners or trustees deem expedient by resolution or by by-law.

Proviso.

Provided always that the privileges upon the immoveable property, as hereinabove set forth, for the recovery of the school taxes extend also to the collection of the monthly contribution lawfully claimed by either board of school commissioners or trustees.

Fees of secre-  
tary-treasurer  
of school  
boards.

**"370.** The secretary-treasurer of the school commissioners and the secretary-treasurer of the school trustees shall, respectively, be entitled to the fees, costs and disbursements which shall be, from time to time, fixed by the said school commissioners or trustees.

Provisions ap-  
plicable to  
sale, &c., of  
immoveables  
for school  
taxes, &c.

**"371.** All the provisions respecting the sale of immoveable property for municipal taxes and dues and the redemption of such property shall apply to sales made for school taxes and other dues and the redemption of such property ; but sales of immoveable property consisting of houses, buildings or improvements do not transfer to the purchaser such immoveable property except upon the conditions of the lease which may exist between the proprietor of the land and the proprietor of such houses or improvements."

Id., s. 373 re-  
placed.

**20.** Section 373 of the act 56 Victoria, chapter 52, is replaced by the following :

Power to bor-  
row and issue  
debentures.

**"373.** The city may borrow various sums of money to pay its debts, make improvements, devote a portion thereof to the permanent works of the city, and generally, for all the purposes within its jurisdiction ; and, to that end, it may issue debentures, payable either in currency or in sterling money, to an amount not exceeding one-fourth of the value of the immoveable property situated within its present or future limits, which value shall, from time to time, be established by the valuation rolls of the city made and in force for the time being.

Authorization  
required.

The council shall however not order the issue of such debentures, without having previously obtained authorization by by-law, approved by the proprietors of immoveable property who are electors, in the manner provided by the city charter."

Id., s. 383, re-  
placed.

**21.** Section 383 of the act 56 Victoria, chapter 52, is replaced by the following :

**"383.** The debentures shall be signed by the mayor and city clerk ; Form, &c., of debentures.

They shall bear the seal of the city ; Seal.

They shall also bear coupons for the amount of the half-yearly interest, at a rate not exceeding six per cent per annum. Coupons.

The coupons shall also be signed by the mayor and the city clerk, but such signatures may be lithographed upon the coupons." Signature, &c., of coupons.

**22.** Section 449 of the act 56 Victoria, chapter 52, is repealed. Id., 449, repealed.

**23.** Section 442 of the act 56 Victoria, chapter 52, is replaced by the following : Id., 442, replaced.

**"442.** It is the duty of the treasurer to make every year, during the month of September or at any other time fixed by the council, a general collection roll comprising all the taxes, both general and special, then imposed in virtue of the powers possessed by the city. General collection roll to be made annually, &c.

**"442a.** He also prepares a special collection roll, whenever a special tax has been imposed after the general roll has been made or whenever he is ordered by the council to do so. Special collection roll.

**"442b.** As soon as the collection roll is completed, the city clerk gives public notice in which he states that the general collection roll or the special roll, as the case may be, has been completed and is deposited in the treasurer's office, and calls upon all persons liable for the payment of the sums therein mentioned to pay the amount thereof at the office of the city treasurer within ten days following the date of such notice. Notice to be given of completion of collection roll.

**"442c.** At the expiration of such delay of ten days, the treasurer shall make a demand of payment of all sums entered on the collection roll, and not yet collected, upon the persons liable for the payment thereof, by serving or causing to be served upon them, personally or at their domicile, a special notice to that effect, accompanied by a detailed statement of the amounts due by them." Demand of payment.

**24.** Section 443 of the act 56 Victoria, chapter 52, is replaced by the following : Id., 443, replaced.

**"443.** If, after the fifteen days next following the demand made in virtue of the preceding article, the municipal dues have not been paid, the city treasurer may levy them, together with costs, by seizure and sale of the goods and chattels of the debtors in arrear which may be found in the city. Levy of amounts due, if not paid within certain time.

Seizure how  
made, &c.

Such seizure and sale shall be made under a warrant signed by the mayor and addressed to a constable or bailiff, who shall act under his oath of office, and be subject to the provisions respecting executions in virtue of a writ *de bonis* issued by the Circuit Court."

Id., s. 445,  
replaced.

**25.** Section 445 of the act 56 Victoria, chapter 52, is replaced by the following :

When taxes  
by licenses  
are payable  
and how lev-  
ied if not  
paid.

**"445.** All taxes imposed by means of licenses by the city shall be payable on demand of the city treasurer or a municipal officer, and, in default of payment, may be at once levied by a warrant, addressed to a bailiff or constable, issued under the hand and seal of the mayor immediately after the default of payment ; and the goods or effects may be seized and sold, for the payment of such licenses, by such bailiff or constable, who shall follow the procedure respecting the execution of a writ *de bonis* issued by the Circuit Court, and who shall be liable to the fines and subject to the responsibilities set forth in the case of the execution of such writ *de bonis*."

Id., 448, re-  
placed.

**26.** Section 448 of the act 56 Victoria, chapter 52, is replaced by the following :

Accounts in  
detail need  
not be fur-  
nished more  
than once.

**"448.** When the city treasurer shall have furnished a rate-payer in arrear with a detailed statement of his account, he shall not be bound to repeat the same details in the accounts which he may subsequently furnish, but he shall mention, in a lump sum, the amount of which he shall have previously given the details to such rate-payer, and he shall be bound to give details only of the new arrears of that year.

If required  
thereafter.

He shall, however, make out an account in detail upon payment of a fee of fifty cents, which shall revert to the municipal treasury."

Id., s. 390, re-  
placed.

**27.** Section 390 of the act 56 Victoria, chapter 52, is replaced by the following :

Annual ap-  
propriation to  
be made and  
what to pro-  
vide.

**"390.** Every year, at its first general meeting in the month of February, the council shall make an appropriation of the amounts necessary to meet the expenditure of the current fiscal year, the said year being from the first of January to the thirty-first of December, by providing :

1. For the payment of the interest on the debt due by the city, and for such sum as shall be required during the year for the sinking fund ;
2. For the general and ordinary expenditure of the city ;
3. For the sums necessary for contemplated improvements ;
4. For a reserve fund of not less than five per cent on the revenue of the preceding year, to be used exclusively to gross meet unforeseen expenditure."

**28.** The following section is added after section 147 of the act 56 Victoria, chapter 52: Sec. added after id., s. 147,

**“ 147a.** Notwithstanding and without prejudice to the privileges granted to proprietors or occupants of property on any street or portion of a street in the city in connection with the special improvements, in virtue of section 147 of the act 56 Victoria, chapter 52, the council may, from time to time, make, amend and repeal by-laws to levy, by special assessment or otherwise, the amount sufficient for opening, widening, extending, altering, macadamizing, raising, levelling, or for doing other work, paving, repairing in a durable manner any street, road, avenue, boulevard, lane, alley, public highway or place, or any section thereof, in the city; acquire and lay therein water-pipes and hydrants as may be necessary to supply the residents with water and for the protection of their property against fire; make, widen, lengthen or repair in a durable manner, any sewer, or main sewer; construct or repair the bridges in a durable manner when the same may be necessary; erect fences in such places as the council shall designate; and do, execute or finish such works or any part thereof, provided all such by-laws shall be approved by a vote of two-thirds of the council. Council may make by-laws to levy special assessments for widening, &c., streets, &c.

Each such by-law must be approved by the majority in number and in value of the proprietors liable to be assessed for such improvements—which assessment shall be based on the value of the immoveable property,—and, who, at a specified date, give their vote for or against such by-law. Approval required.

Such votes shall be taken in accordance with the procedure followed for the ratification of loans. How vote to be taken.

All corporations or estates, owning immoveable property subject to such assessment, shall have the right to vote for or against such by-law through their agent or duly authorized attorney. Corporations, &c., may vote through agents, &c.

A notice, stating in general terms the object of such by-laws, shall be published for at least ten days before the passing thereof, in a French and in an English newspaper of the city. Notice before by-law is passed.

2. The council may acquire and lay or cause to be laid or placed, all its water-pipes, hydrants and sewers, and have the necessary work done therefor. Laying water-pipes, &c.

3. The cost of the construction and of the work on such improvements shall be borne and paid for by the proprietors of immoveables situated on each side of such streets, roads, avenues, boulevards, lanes, alleys, public highways or place or any portion thereof by means of a special assessment made, prepared or levied on such proprietors in proportion to the frontage of their properties when such improvements are made; the council nevertheless having the right to declare, by resolution adopted by two-thirds of the members of the council, that the frontage of such properties shall be How improvements are to be paid for.

taxed only in a certain proportion or percentage of the cost of such improvements in the manner hereinafter determined.

Payment of  
part only by  
proprietors.

4. The council, by resolution adopted by at least two-thirds of the members of the council, may declare that a portion or percentage only of the cost of such improvements or one of them, shall be borne by the property fronting on the said streets, roads, avenues, boulevards, lanes, alleys, public highways or places or any section thereof, and, in such case, the clerk shall give special notice by registered letter, sent through the post-office, to each person in whose name such fronting properties have been lately taxed at his last actual known domicile, and shall indicate in such notice the nature of the improvements as well as the amount of the percentage of the cost thereof to be apportioned on the frontage of the properties, within the ten days following the adoption of such resolution.

Proceedings,  
if petition ob-  
jecting to ap-  
portionment  
be presented  
to council and  
arbitration in  
such case.

5. If a petition, objecting to the apportionment on such fronting properties of the total amount of the cost or of the proportion of percentage of the cost, be presented to the council within thirty days from the passing of such resolution, signed by the majority of the proprietors, tutors, administrators, guardians, curators, institutes, trustees and others taxed for, in possession of, interested in, or proprietors of such properties fronting on the said streets, roads, avenues, boulevards, lanes, alleys, public highways or places or any section thereof, then, and in such case, the amount or percentage of the cost of such improvements, which must be borne by a tax upon such properties, shall be determined by arbitration; the arbitrators shall be appointed in the manner and in accordance with the procedure hereinafter prescribed for expropriations, in so far as they shall be applicable, save that the petitioners shall be bound, in their petition, to name an arbitrator to represent them collectively in such arbitration.

Award of ar-  
bitrators  
final.

6. The award of the arbitrators or of the majority of them shall be final and without appeal, and it shall constitute the basis of the apportionment to be levied on such fronting properties.

Costs of ar-  
bitration.

7. If any sum or proportion or percentage to be imposed on the fronting properties, is not diminished by the arbitrators' award, the cost of the arbitration shall be apportioned on such properties; in the contrary case, the costs of arbitration shall form part of the cost of such improvements.

Pending  
award, coun-  
cil may pro-  
ceed.

8. Pending the arbitrators' award, the council may have such improvements or any part of the same carried out.

Balance of  
cost to be  
paid by city.

9. The balance or residue of the cost of such improvement or improvements, exceeding the proportion borne as aforesaid by the owners of fronting properties, shall be borne by the whole city; but, in such case, such apportionment shall be based on the valuation of the immovable property liable for the cost of such improvements.

10. The council may determine the mode or method or the manner in which said improvements or any part thereof shall be made and executed, and the manner of imposing, levying and collecting such special tax, taking the arbitrators' award as a basis of the taxation on such fronting properties in the case where their proportion of the costs of any such improvement is diminished as aforesaid.

Council to decide how improvements to be made and cost levied.

11. Such apportionment shall be made, levied and collected at the date ordered by the council, which may order that the cost of such improvements be imposed and levied immediately or be paid by instalments during a certain number of years.

How apportionment to be made and collected.

If the total payment of the improvements is to extend over a certain number of years, such apportionment shall include interest on future payments.

Interest to be collected in certain event.

12. As soon as the accounts for the cost of constructing such improvements and of all the expenses connected therewith, have been sent to the council and approved, the treasurer shall, within a delay fixed by the council, make out a special roll of assessment and apportionment of the cost of such improvements.

Special assessment roll, &c., to be made.

13. As soon as the roll of special taxes is prepared, the clerk shall give public notice in an English and in a French newspaper, published in the city, at least twice, mentioning the date and hour at which such roll of special taxes shall be submitted to the council for homologation.

Notice when roll prepared.

14. At the date specified, the council shall hear the parties interested and may adjourn its meeting from time to time, if the same may be necessary, and after hearing the complaints and representations that may be made, it may maintain, modify or amend, in its discretion, such assessment roll, but without modifying the basis of the apportionment on the fronting properties when it shall have been determined by arbitrators as aforesaid; it may homologate the same with or without amendment, as the case may be, and such roll shall then be final and without appeal.

Hearing of objections to and homologation of such roll.

If the first apportionment be insufficient, the council may make or have a second one made in the same manner and so on until the amount necessary to pay for such improvements or works has been realized.

Second apportionment, if first insufficient.

15. Such apportionment shall be due by and exigible from the proprietors for the proportionate or partial amounts fixed by the council, and, when the treasurer shall have received an order to that effect, he shall levy such amounts upon the proprietors in the same manner as the municipal taxes.

When moneys due.

16. Such apportionment shall be a privileged debt, exempt from the formality of registration, and shall bear interest at six per cent. per annum from the date of its maturity; discount may be granted for payments made in advance.

Apportionment a privileged debt.

17. The council shall have power to purchase or acquire any property, land or lot whatever, situate within the limits

Power to acquire land, &c.



of the city, necessary for such improvements or for any purpose whatever provided by this act, either by mutual agreement between the corporation and the proprietors or other interested parties, or by complying with the provisions and formalities respecting expropriations mentioned in this act.

Provisions of act to apply to existing streets, &c.

18. All the provisions of this act shall apply to existing streets, roads, avenues, lanes, alleys, public highways or places or to any section thereof in the city, as well as to all streets, roads, avenues, boulevards, lanes, alleys, public highways and places or any section thereof, which may be hereafter opened by the corporation or marked and indicated on any plan of the city.

Certain powers of corporation.

19. The powers conferred on the corporation with respect to loans, shall apply to all the measures mentioned in this act, and the corporation may, from time to time, contract such loan or loans when it shall be necessary for the purpose of paying for the improvements made and executed in virtue of the provisions of this act ; but every by-law, authorizing any loan as aforesaid, shall provide for an annual tax imposed upon the revenues of the corporation sufficient to pay the interest each year, and to provide a sinking fund of one per cent. per annum at least until such debt be paid.

By-law to provide for annual tax to cover interest and sinking fund.

Improvements at present being carried on.

20. Notwithstanding anything to the contrary contained in this act, all the improvements actually commenced before the coming into force of this act, may be continued and completed in accordance with the provisions of existing by-laws or the laws authorizing the same.

Certain proportion of cost may be paid out of general funds.

21. In the case of the imposition of special taxes for any improvement, the council may, if it deem expedient, provide, by by-law or resolution, for the construction, out of the general funds of the municipality, of the portion of said improvement, situated on or in that portion of any street, lane, alley, square or public place, which is traversed by any other street, lane, alley, square or public place, or which might otherwise fall upon a property exempt from taxation.

Equitable method of apportionment.

22. The city council may, by by-law or resolution, adopt an equitable method of apportionment for every improvement ordered, or which shall be ordered, for works and services on corner lots, triangular lots or other lots of irregular form, situated at the intersection or point of junction of streets, roads and squares, taking into consideration the situation, value and area of such lots with respect to the neighboring lots and the land liable for such work, improvements and services, and may impute the amount of any apportionment made upon all such lots or lands on the other immoveables fronting upon such improvements, or assume the same itself, as being the share of the corporation or city in such works, or improvements or, otherwise, as the council may decide.

23. In case the council of the city, in accordance with the provisions above mentioned, should decide to contribute towards the cost of the special improvements authorized by the present section, the proportion of the city generally in the cost of such improvements shall be two-fifths, and that of the proprietors interested shall be three-fifths."

Proportion to be contributed by city.

29. Notwithstanding any provisions contained in the by-laws or ordinances passed by the councils of the city of Hull, and of the village of Gatineau Point, respecting the construction of Gatineau bridge, it shall be lawful for the councils of the said municipalities to make all arrangements which may be deemed expedient to impose tolls for passing over such bridge.

Tolls over Gatineau bridge.

All such arrangements which may be so made between the said corporations of the city of Hull and of the village of Gatineau Point, shall, before having force and effect, receive the approval of the Lieutenant-Governor in Council.

Approval of certain arrangements required.

30. The provisions of the law governing town corporations, contained in chapter first of title eleventh of the Revised Statutes, (articles 4178 and following) shall apply to the city of Hull in all matters or subjects not provided by the act 56 Victoria, chapter 52, or by the present act.

Certain law to apply to the city.

31. This act shall come into force on the day of its sanction.

Coming into force.

## CAP. LVII

An Act to consolidate and amend the charter of the town of Maisonneuve

[Assented to 15th January, 1898]

WHEREAS the town of Maisonneuve was incorporated by the act 46 Victoria, chapter 82, under the name of the town of Hochelaga, and amendments to such charter are contained in several subsequent statutes ;

Preamble.

Whereas, in consequence of the increase of the town, it is necessary to consolidate and amend the acts that govern it, and it is expedient to grant the prayer to that effect ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

### TRANSITORY PROVISIONS

1. The corporation hereby constituted is substituted for that already existing, under the name of the town of Maisonneuve

Corporation succeeds former corpo-

ration of  
Maisonneuve  
in all rights.

neuve. It succeeds the latter in all its rights, powers, privileges, property, actions, obligations and claims, and nothing in this act shall be interpreted as diminishing them in any manner.

Present mayor and councillors, &c., continued in office.

**2.** The mayor, the councillors and all the present municipal officers and employees of the town shall remain in office until the expiration of their term of office and until they are replaced according to law.

Their powers.

They are vested with the same powers, rights and privileges conferred by the acts repealed by this act, and shall remain subject to the duties imposed by the same laws, saving judgments rendered, pending cases, and the disabilities established by laws in force.

Present by-laws, &c., continued.

**3.** All the by-laws, assessment and valuation rolls, *procès-verbaux*, accounts of amounts due, orders, lists, plans, resolutions, ordinances, agreements, provisions, exemptions from taxation, engagements or acts whatsoever, done, passed or consented to by the town of Maisonneuve, shall continue to have full force and effect until repealed, amended, set aside or fulfilled, as if this act had not been passed:

Existing notes and obligations valid.

**4.** All notes, bonds, debentures and obligations of the town of Maisonneuve, now in existence, shall have their full force and effect, as if this act had not been passed.

#### INCORPORATION OF THE TOWN

Inhabitants constitute a corporation. Name.

**5.** The inhabitants of the town of Maisonneuve and their successors for ever are constituted a corporation and body politic under the name of the "Town of Maisonneuve."

Limits of town.

**6.** The boundaries and limits of the town of Maisonneuve shall be as follows, to wit :

All that territory of irregular form, situate and being in the county of Hochelaga, in the district of Montreal ; bounded in front, to the south-east, by the middle of the river St. Lawrence ; in rear, to the north-west, by the boundaries of the municipality of the village of *la Côte Visitation*, as fixed by a proclamation of the twenty-fifth of October, eighteen hundred and seventy, constituting the said municipality ; on one side, to the south-west, by the limits of the city of Montreal ; and on the other side, to the north-east, by the parish of Longue Pointe,—as laid down upon a plan of the town made by Emile Vanier, provincial land-surveyor, and homologated by the Superior Court of the district of Montreal, on the 22nd October, 1891.

Division into wards.

**7.** The town shall be divided into three wards, which shall be respectively designated and known as "East ward," "Centre ward" and "West ward."

Their boundaries shall be those determined by the by-laws of the town. Limits how to be determined.

8. Whenever a ward of the town shall contain more than four hundred municipal electors, the town council may, upon a petition to that effect, signed by at least twenty-five municipal electors in that ward, and presented in the usual manner, after causing the number of electors in such ward to be ascertained by the secretary-treasurer of the council, either alter the boundaries of the ward so as to reduce the number of electors to at least four hundred, or allow such ward an additional councillor, and, in the latter case, the number of representatives shall be increased to three. Division of ward if it contains more than certain number of electors.

Nevertheless the number of councillors for each ward shall never exceed three. Number of councillors for each ward.

The election of these new councillors shall take place in the usual manner. Election of new councillors.

#### COMPOSITION OF THE COUNCIL

9. The council of the town shall consist of a mayor and six councillors, elected in the manner hereinafter prescribed ; the whole subject to the provisions of section 8 of this act. Composition of council.

The quorum shall be three councillors, besides the mayor or person presiding over the council. Quorum.

#### MUNICIPAL ELECTORS

10. Every person shall be a municipal elector, and as such shall have the right to vote at the election of mayor and councillors, and to exercise all the rights and privileges conferred on municipal electors by the provisions of this act, who, at the time he exercises such rights and privileges, has complied with the following conditions : Qualification of elector.

1. He must have attained the age of majority and be a British subject ; Be a British subject, &c. ;

2. He must have been in possession, in the municipality, during the preceding six months, either in his own name or in the name and for the benefit of his wife, or as an institute in a substitution, or usufructuary, as appears by the valuation roll in force, as proprietor of real estate, of the actual value of at least one hundred dollars,—if the property belongs jointly to several owners, each of them shall be entitled to a vote by reason of his share, provided that, according to the valuation roll, the share of each be at least one hundred dollars,—or as tenant farmer, or lessee, or as occupant, by any title whatsoever, of real estate of the annual value of at least twenty dollars ; such tenant or occupant must also be of the male sex and have been a *bonâ fide* resident of the town for Be proprietor, &c., of certain property, &c. ;

at least six months; the valuation roll shall be proof of the value of his real estate and shall render any other evidence unnecessary ;

Have paid all taxes, &c. ;

3. He must have paid all the municipal and school taxes and all other municipal dues payable by him at the period of his exercising such right as elector ;

Name must be on valuation roll.

4. His name must be entered in the valuation roll in force in the municipality, either as proprietor, usufructuary, lessee or occupant, or be entered on the list of municipal electors, if there be any such list.

Right to vote of certain proprietors.

11. If any person possess in the municipality, as proprietor, parcels of real estate, the value of which does not amount to one hundred dollars each, and which are situated in different wards, he may, provided the total value of such real estate together be at least one hundred dollars, vote in the ward in which he resides, for the election of mayor, and for the election of the councillors of such ward.

Electors to vote once only for mayor and once for each councillor when qualified.

12. No person shall vote more than once for the election of mayor and once for the election of councillors of each ward, in which he is qualified to vote, under a penalty not exceeding twenty dollars and of imprisonment not exceeding two months in default of payment.

#### MUNICIPAL ELECTIONS

When general elections are held, &c. When nominations are held, &c.

13. The general and annual elections in the town shall be held in the month of March of each year.

The nomination shall take place at the hour of ten in the morning, on the second Monday of March, and the voting, when necessary, shall take place on the third Monday of the same month.

Qualification of mayor and councillors.

14. No person can be elected mayor or councillor, or occupy either of such offices, unless :

1. He is of the male sex, of full age and a subject of Her Majesty ;

2. He is able to read and write ;

3. He has had his residence or place of business within the limits of the town during the six months preceding his election ;

4. He possesses as proprietor, for at least twelve months, in his own name, immoveable property therein of the value of two thousand dollars in all, over all charges and hypothecs upon the same for the office of mayor, and one thousand dollars for that of councillor.

Declaration to be filed by mayor and

15. No one can fill the office of mayor or councillor or even be nominated for the said offices, unless he has previously

deposited and placed in the hands of the secretary-treasurer a sworn declaration under his signature, stating that he is qualified according to law and that he possesses the required qualification and containing a detailed description of the immoveable in respect whereof he is qualified. councillors before taking seat.

**16.** Every councillor who votes at a meeting of the council or of a committee, without being duly qualified as required by law, shall be liable to a fine of one hundred dollars, for each such vote given by him at the council or in committee, and imprisonment not exceeding two months in default of payment. Penalty on councillor voting without being qualified.

**17.** Whenever the mayor or a councillor transfers or, in any manner whatsoever, disposes of the immoveable in respect of which he is qualified or mortgages the same in such manner as to affect the amount required for his qualification, two duly qualified electors may present a petition to the council to have the mayor or such councillor, as the case may be, compelled to produce the title of another immoveable by which he may be qualified, and, in default of his so doing within a delay of thirty days, his seat shall become vacant. When property upon which mayor or councillor is qualified disposed of, he may be required to substitute others.

**18.** The mayor and councillors of the town shall be elected for two consecutive years; but in such manner that, every year, three councillors shall go out of office, one for each ward. Term of office of mayor and councillors.

**19.** Eight days before each general or partial election, public notice shall be given by the secretary-treasurer or by the mayor, announcing such election and calling upon the electors of the municipality to attend a general meeting for the nomination, at the place and date indicated. Notice of general, &c., election.

**20.** In all municipal elections for the office of mayor or of councillor for the town, the voting shall be by ballot; and, for that purpose, articles 223 to 226, inclusively; 252 to 258, inclusively; 269, 274 and 275, replacing the words "twenty-five" in the two latter articles by the word "seven"; 276, 277, 285, 286, 292 to 307, inclusively; 308 to 318, substituting the form contained in article 4250 of the Revised Statutes for that contained in article 318; 319 to 356, inclusively; 357 replacing the words "Clerk of the Crown in Chancery" in the latter article by the words "council of the town of Maisonneuve;" 364, replacing the words: "In case the applicant deposit within the same time, with the clerk of the court, the sum of fifty dollars", at the beginning of the second paragraph of that article, by the words: "In case the applicant give good and sufficient security;" 365 to 370, re-

Voting to be by ballot and law to apply.

placing the words "Clerk of the Crown in Chancery" in the last article by the words: "council of the town of Maisonneuve;" 371, 375, 377, 381, 391, 392, 395 to 406, inclusively, of the Revised Statutes, shall apply to the said elections *mutatis mutandis*.

Secretary-treasurer to act as returning-officer.

The secretary-treasurer or person mentioned in article 4237 of the Revised Statutes shall in all cases act as returning-officer with all the powers of a deputy returning-officer.

#### ANNUAL APPROPRIATIONS

Provisional appropriations for certain purposes.

**21.** Every year, during the month of December, the council shall grant provisional appropriations, intended to cover the ordinary current expenses of the town, for the period of the fiscal year between the first day of January following and the date when the final appropriations shall be determined.

Annual appropriations, for:

At one of the meetings, which shall immediately follow the elections, the council shall vote the necessary amounts to meet the expenses of the current fiscal year, by providing:

Interest on debt;

1. For the payment of the interest on the debt due by the town, and the sum required, during the year, for the sinking fund, if there be any;

General expenses;

2. For the general and ordinary expenses of the town;

Improvements;

3. The sum required for projected improvements;

Reserve fund.

4. For a reserve fund out of the gross receipts of the previous year, which shall be exclusively used in meeting unforeseen expenses.

How to be expended.

No moneys of this reserve fund can be expended without a favorable report of the finance committee, adopted by the council.

Amount of appropriations limited.

**22.** The amount, so appropriated, shall never exceed the amount of the receipts of the previous year, added to the unexpended balance of the said receipts, and the council or its committees cannot expend more than the total amount so appropriated; but the council may alter the mode of expending the sums allowed to each committee, or take away from one and give more to another, and make any by-law in connection with the administration of the finances of the town, the manner in which the appropriations shall be distributed, and the jurisdiction of the finance committee.

Proviso.

Personal responsibility of councillor authorizing expenditure over appropriations.

**23.** Any member of the council who makes, authorizes, or approves of the expenditure of any sum of money, over and above the amounts so appropriated and at the disposal of the council or any committee thereof under the preceding section, is personally responsible.

Section not to apply to loans, &c.

This section shall not apply to loans, nor the interest thereon, nor in the case of the following section.

**24.** In case of urgent necessity, the council may, by a by-law, appropriate any amount, which it may deem necessary, over and above those at its disposal; provided that by such by-law an additional assessment be imposed, payable during the year in which the by-law shall be passed, sufficient to cover the amount so appropriated; and such assessment shall be levied, recovered and collected in the same manner as the ordinary taxes and assessments, and with the same privileges.

Additional appropriations in case of urgent necessity. By-law therefor to impose additional assessment.

#### VALUATION ROLLS

**25.** The following property is not liable to taxation :

Property exempt from taxation.

1. The property belonging to Her Majesty or held in trust for her use and that owned or occupied by the corporation of the municipality;

2. That occupied by the Federal and Provincial Governments or which belongs to them;

3. That belonging to *Fabriques* or to religious, charitable, or educational institutions or corporations or occupied by such *Fabriques* or corporations, and not owned by them solely for the purpose of deriving a revenue therefrom;

4. Cemeteries, bishops' palaces, presbyteries, and their dependencies;

5. All property belonging to railway companies receiving a grant from the Provincial Government, for the whole time for which such grant is accorded.

**26.** The council may, by resolution, when it deems expedient in the interest of the town, enter into any agreement whatsoever with one or more proprietors, either to regulate the manner of valuing his or their real estate, or establish the amount at which the same shall be estimated, or to regulate the mode of taxing real estate, for ordinary or special taxes, or determining the amount at which it shall be taxed for a specified period.

Council may by resolution make agreements respecting valuation of real estate, &c.

It may also, by resolution, determine the delay and manner of collecting all special taxes.

Delay, &c., for collecting special taxes. School commissioners or trustees may do so likewise.

The same right is granted to the school commissioners and to the trustees of the dissentient schools for the town of Maisonneuve.

**27.** The council shall, at all times, on a written application from any person who considers himself aggrieved as regards the insertion of his name or the value of his property, in the valuation or collection roll of the municipal taxes of the town and by the entry of any taxes against him, have power to strike from or change in such valuation or collection roll the name and surname of such person or the valuation of his property, as having been inserted

Council may on application of persons aggrieved strike names from roll, alter valuation, &c.



therein, erroneously or otherwise, also to strike therefrom all taxes which may have been erroneously entered against any such person in such valuation or collection roll.

What real  
value to com-  
prise, &c.

**28.** The real value of the taxable property in the said town shall comprise the value of the buildings, workshops and machinery thereon erected, and that of all improvements made thereon.

How value of  
agricultural  
lands is  
established.

**29.** In establishing the value to be given to lands used for agricultural purposes and situate within the limits of the town, account is taken of the value of such lands for farming purposes only, except the portion adjoining streets and roads opened to the public for the ordinary depth of building lots in the locality, which may be taxed according to their real value.

Deposit of val-  
uation roll in  
office of coun-  
cil and notice  
thereof.

**30.** The assessors deposit the valuation roll in the office of the council immediately after it is completed, and notice of such deposit is given by the secretary-treasurer within the two following days.

What notice  
to contain.

The notice further states that the roll will remain open to examination by the parties interested or their representatives during thirty days following that of the deposit and mentions the day on which the assessors will meet to revise the roll.

Objections to  
valuation  
how to be  
made.

**31.** Within thirty days from the deposit of the valuation roll by the assessors, in accordance with article 4505 of the Revised Statutes, any person who thinks he has a right to complain of the valuation roll as drawn up may, either on his own behalf or on behalf of another, file a written and sworn complaint in the office of the secretary-treasurer, and such complaint shall mention the object and reason of the application.

Meetings of  
assessors to  
take com-  
plaints into  
considera-  
tion.

**32.** On the day specified in the notice or in a subsequent notice, if they have been unable to meet on the day mentioned in the first notice, the assessors shall meet at the place indicated and shall hear and examine the written complaints of the interested parties.

Amendment,  
&c., of roll.

After having examined witnesses under oath administered by one of them, as well as the witnesses produced by the town, if any, and after hearing the parties, they shall maintain or amend the roll as to them may seem meet.

Adjournment  
of sittings.

They may adjourn their sittings, if they consider it advisable.

Quorum of  
assessors.

It shall require at least two assessors to sit and come to any decision.

Assessors to  
proceed to

**33.** In any case it shall be the duty of the assessors to proceed at such sitting to the revision and homologation of

the roll whether there be or be not any complaints. They may of their own accord make any change or modification in the roll which they may deem expedient before homologating it.

revision, &c.,  
even if no  
complaint, &c.

**34.** As soon as the assessors shall have dated, signed and declared the roll homologated, they shall deposit it in the office of the secretary-treasurer, and, from and after the date of such deposit, the roll shall be and shall remain in force until the coming into force of a new roll.

Deposit of  
roll after ho-  
mologation.

Coming into  
force.

**35.** An appeal may be taken from the decision of the assessors to the courts of justice by a simple summary petition. Such petition shall be served on the town and be presented within fifteen days from the coming into force of the roll, and articles 4282, 4284, 4285, 4286 and 4288 of the Revised Statutes shall apply *mutatis mutandis*.

Appeal from  
decision of  
assessors.  
When pre-  
sented and  
what articles  
to govern.

**36.** The contestation of any valuation or assessment roll, whether general or special, except in the case of section 34 above, of any by-law, resolution, or other act of the council, in any manner, is prescribed by thirty days from the date on which such by-law or roll came into force, or from the date of such act or resolution of the council.

Prescription  
of right to  
contest roll.

#### TAXES

**37.** In order to raise the necessary funds to meet the expenses of the council, to provide for the several public improvements necessary and advantageous for the maintenance of the property of the town, and to cover all the expenses of management, generally, made in the interest of the town, the town council shall be authorized to levy annually, by by-law or by resolution, on persons and on moveable and immoveable property in the town, all general or special taxes, contributions, licenses or other dues hereinafter designated :

Power of  
council, for  
certain pur-  
poses to levy  
taxes upon :

1. On all lands, town lots or parts of town lots, with all the buildings erected thereon, if any, a sum not exceeding one cent and one quarter in the dollar on their total value, as entered on the valuation roll ; the property and the proprietor personally being responsible for such assessment ;

Lands, &c. ;

2. Proprietors of extensive vacant land to the north of the lots fronting on Ontario street and being at least ten arpents in superficies shall be placed on the same footing as to the valuation, as those who have made arrangements with the town under the provisions of section 4 of the act 56 Victoria, chapter 57 ; but when streets shall have been opened on such lands at the request of the proprietors, the abutting lots shall fall under the common law ;

Proprietors of  
land, north  
of Ontario  
street ;

Tenants, &c. ; 3. On each tenant or occupant paying rent in the town, a sum not exceeding three cents in the dollar on the amount of his rent, or on the yearly value of the immoveables occupied by him ;

Male inhabit- 4. On each male inhabitant of the age of twenty-one ants ; years or over, who shall have resided in the town for six months, and not being a proprietor or tenant, nor an apprentice, nor a domestic servant, an annual sum not exceeding five dollars ;

Persons keep- 5. On every person keeping or having in his possession ing dogs or a goat or dog, in the said town, an annual sum of two dol- goats ; lars for each animal ;

Persons keep- 6. On every person keeping or having a bitch in his ing bitches ; possession, a sum not exceeding six dollars for each ;

Persons hav- 7. On every person keeping or having in his possession ing any other any other animal, a sum not exceeding ten dollars ; animal ;

Persons hav- 8. On every person keeping or having in his possession ing carriages, any carriage, sleigh, or any other vehicle, a sum not exceed- &c. ; ing ten dollars.

Possessor to 9. The possessor of the animals and articles above enume- to be reputed rated shall be reputed to be the owner thereof and be taxed accordingly, saving his recourse, if any, against the real proprietor.

Tax not to 9. The tax imposed on such animals or objects, shall not apply to horse dealers nor to carriage dealers nor manufacturers as regards the horses and vehicles which they buy, &c. make or possess for the purpose of selling the same in the ordinary course of their trade.

Town may 10. It shall be lawful for the town, for the purposes above levy annual tax upon : mentioned, to levy an annual license or tax :

(a) On all proprietors or occupants of houses of public entertainment, private boarding houses, taverns, hotels, coffee-houses, and eating houses ; on all retailers of spirituous, vinous or fermented liquors ; on all pedlars and itinerant traders selling, in the town, articles of commerce of any kind whatsoever ; on all proprietors, possessors, agents, managers, and keepers of theatres, circuses, menageries and other similar shows, billiard rooms, ten-pin alleys, or other places for games or amusements of any kind whatsoever ; on all auctioneers, grocers, bakers, butchers, hawkers, huckster, carters, livery-stable keepers, brewers, distillers and bottlers ; on all merchants, retailers, traders and manufacturers and their agents ; on all proprietors or keepers of wood-yards or coal-yards, and slaughter-houses ; on all brokers, money-changers or exchange brokers, pawn-brokers and their agents ; on all bankers and banks, and all agents of banks ; on all building societies and insurance companies or their agents ; on all agents, commission merchants or persons acting for others ; on all telegraph, telephone, electric and gas companies, or their agents or operators ; on all manufac-

turers of spruce beer and root beer, and the agents and agencies of each of them ; on all brickmakers, soap boilers, lumber merchants, proprietors or occupants of mills, driven by water, steam or electricity, and of tanneries or laundries ; on all scales ; on all bailiffs and druggists residing within the town ; on all railway companies whose cars are driven by steam, electricity, or other motive power, and which run through the municipality, or companies having steam or sailing vessels or ferry-boats running from any place in the municipality ; on all proprietors or keepers of boats, yachts or canoes for hire ; on all refineries, and, generally, on all businesses, manufactures, occupations, arts, industries, trades and professions which are now or may be introduced and exercised in the town by any persons, firms or companies, either on their own account or as agents for others, temporarily or permanently, whether they reside or not in the town.

Such license or tax may be different for the same business, art, industry, manufacture, occupation or trade, according as the persons exercising the same reside in the town or outside of the same.

Tax may be different for residents and non-residents.

(b) The only persons exempt from such license or tax shall be commercial travellers, that is to say, persons selling on sample, when travelling for and on behalf of a business establishment, who do not deliver goods.

Exemption of commercial travellers.

(c) The amount of such respective annual licenses or taxes shall be fixed and determined by a resolution or by a by-law of the council of the town, and shall be fixed and determined by the council in its discretion, either by a specific annual amount or by percentage on the annual value of the property occupied by the said persons in the town, and in or upon which they carry on such business, manufacture, occupation, trade, art, profession or means of profit or livelihood ; provided that in no case shall any such license or tax exceed one hundred dollars per annum.

How amount of taxes is to be fixed.

Maximum of tax.

(d) In default of taking out such license, the offender shall be liable to a fine not exceeding one hundred dollars for each offence, and, in default of payment of the said fine and costs, to an imprisonment not exceeding one month.

Penalty for not taking out license.

(e) Every license signed by the secretary-treasurer shall give the bearer the right to carry on his art, trade, occupation, business or industry up to the first of May following. If a license is issued without the amount due thereon being previously paid, it shall be null and void.

Rights conferred by license.

11. Every person who, during the fiscal year, carries on or practises any kind of business, trade or occupation which renders him liable to the license or business tax aforesaid, is bound to pay the full amount thereof, or such proportion as may be determined by the council, by by-law or resolution.

Persons carrying on business during the year bound to pay, &c.

12. The business tax shall be exacted for the exercise of each such trade, business or occupation, even if several kinds

Business tax for each business although

carried on by one person. of business are carried on by the same person, firm or company.

Power to levy moneys by special assessment. 13. The council may, by special assessment, as set forth in article 4547 of the Revised Statutes, levy moneys for any object whatsoever, within the scope of its powers, upon all kinds of property, or solely upon immoveables, or even upon a portion of either, within the limits of the town,

Maximum of tax.

over and above the general and annual tax; provided such tax does not exceed three-quarters of a cent in the dollar on the total value of the said immoveables, as shown on the valuation roll.

Tax on bicycles, &c.

14. The town may levy a tax, not exceeding one dollar, on bicycles, and also upon tricycles and other similar vehicles used in the town by the residents therein; this provision shall not apply to such vehicles used by children under ten years of age.

Taxes on companies having posts in town. Proviso.

15. The town may impose an annual tax, not exceeding one hundred dollars, on every incorporated company or person having posts erected in the streets of the town, provided that such companies or persons or their agents do not already pay a tax under subsection 10 of this section.

Tax on professional men.

38. Every person having an office in the town, and practising therein the profession of an advocate, physician, land-surveyor, notary, dentist, surgeon, oculist or any other liberal profession, shall pay an annual tax not exceeding four dollars.

Levy of annual duties or taxes on proprietors of houses of public entertainment, &c.

39. It shall be lawful for the council of the town to levy, by resolution or by law, certain annual duties or taxes on the proprietors or occupants of houses of public entertainment, hotels, taverns, coffee-houses and restaurants, temperance hotels, private boarding houses, on all retailers of spirituous, vinous and fermented liquors, or to impose a duty or tax upon their respective certificates from the electors when submitted to the approval of the council for obtaining their license; and the certificate for obtaining such license, which is required by law to be signed by twenty-five electors, shall have the signatures of at least five electors of the ward for which the license is applied for.

Tax on license certificates.

Discount on payments.

40. It shall be lawful for the town council to grant a discount, not exceeding five per cent., for the purpose of facilitating the payment of the municipal taxes of all kinds.

The same privilege is granted to the school commissioners of the town for the collection of school taxes.

Prescription of taxes.

41. All arrears of general municipal taxes imposed upon real estate are prescribed by three years, and all other arrears of municipal taxes or claims, special or personal,

by five years, unless in both cases legal proceedings have been taken to effect or prevent the collection thereof during the said period, and in such case the delays for prescription shall only begin to run from the date when such proceedings are concluded.

**42.** Every tax or assessment, imposed by virtue of this act, From whom taxes may be recovered.  
 on any property or house in the said town, may be recovered either from the owner or from the tenant or occupant of such property or house; and, if such tenant or occupant be not bound by lease or otherwise to pay such tax or assessment, such tenant or occupant may deduct the sum so paid by him from the rent which he shall be obliged to pay for the occupation of such property, or may recover the amount of such taxes from the proprietor with costs. Provido, if tenant pay, when not bound to do so under lease.

**43.** All debts, now due to the town in virtue of any act hereby repealed, or which may be due in future for any taxes or assessments imposed by virtue of this act, shall be privileged debts, and shall be paid in preference to all other debts, and shall, in all cases of distribution of moneys, be allowed to the town in preference to all other creditors; and this privilege shall apply only to the taxes of the last three years, in cases of general taxes imposed upon real estate, and, in all other cases, to the taxes of the last five years, and shall have its full and entire effect without its being necessary to have recourse to registration. Privilege for debts due to town.

**44.** The moveable or immoveable properties, situated in the town, and which according to law are or shall be exempt from taxation for the purpose of meeting the general expenses of the town, shall nevertheless be taxable for the purpose of making and maintaining roads, streets, water-courses, drains and ditches, and the proprietors, possessors, holders and occupants of such properties shall be bound to pay to the town the special tax fixed by the council by by-law to meet the expenditure occasioned by such work; the said properties shall likewise be assessable for, and the owners thereof shall be bound to pay all special assessments or water rates which may be imposed by the council. Property exempt from taxation, liable to certain taxes for roads, &c.

These taxes shall be levied and collected in the usual manner. How to be collected.

This section shall not have the effect of limiting the exemption from taxes granted by resolution of the council in virtue of the law. Limitation of application of section.

**45.** The town shall have power to levy, apart from the taxes mentioned in the various sections of this act, a special tax upon persons and companies plying, within the limits Special tax upon common carriers.

of the town, the trade of common carriers, either for the transporting of goods or travellers within the limits of the town or from the limits of the town to some other place.

Maximum of tax.

Such tax shall not exceed twenty dollars per annum for each vehicle, whether for summer or for winter use, employed in such trade of common carrier, and may be levied under the form of a license or otherwise, in such manner as the council shall decide.

Tax may be commuted for an annual payment.

The council of the town may, however, agree with all companies or persons, plying the said trade of common carrier, upon the payment of an annual sum for the privilege of so doing, and may use its discretion in granting or refusing such privilege.

R. S., 4554, replaced for town.

**46.** Article 4554 of the Revised Statutes is replaced, for the town, by the following :

Sales under execution of moveables stopped only upon judge's order.

The sale of moveables, under writ of attachment, shall only be stopped upon the order of a judge of the Superior Court, given upon a petition presented, in chambers, two days before the time fixed for the sale, or to the Circuit or Superior Court, after giving notice to the town, at least one clear day before presenting the petition.

#### LOANS

Power to borrow for improvements, &c.

**47.** It shall be lawful for the town to borrow, upon the credit of the town, such sums of money as the council may deem advisable to borrow, in order to effect improvements in the town, to erect public buildings, to drain streets, or provide the town with water and light, and finally for all purposes which the council may deem useful or necessary ; but the amount borrowed by the issue of bonds, notes or other securities, except those given for expenses of administration, and remaining unpaid, shall not, at any time, exceed twenty per cent. of the total assessed value of the taxable real estate in the town, according to the valuation roll in force.

Limit of borrowing power.

Issue of notes for present obligations, if borrowing power exhausted.

**48.** If the power of borrowing granted by section 47 is not sufficient to meet the debts and obligations contracted before the sanction of this act, the town council, after having exhausted such power, may, to make it up, issue, upon resolution, notes with or without interest or including or capitalizing the interest to accrue up to the date of maturity of said notes, payable at the places and upon the terms and conditions it may deem expedient.

es for current business.

The council may also issue notes for the current business, provided the amount be paid within the year of issue out of the revenue, and to settle judgments which may be rendered against the town.

These notes are signed by the mayor or councillor named by resolution and by the secretary-treasurer or in his default by his assistant. How to be signed.

**49.** The loans effected by the town, by the issue of bonds or obligations, shall only be made by by-law of the council to that effect, approved by the majority in number and in value of the real estate owners who are municipal electors, and who vote on such by-law, and by the Lieutenant-Governor in Council, in accordance with the provisions of the general law governing town corporations. Loans to be made under by-law approved by real estate proprietors, &c.

**50.** The town council cannot in future, without the approval of the municipal electors and the Lieutenant-Governor in Council, obtained in the same manner as prescribed by this act for loans, incur any debts for a sum exceeding in all twenty-five per cent. of the value of the total assessable property of the municipality. Debts not to be incurred without approval of electors and Lieutenant-Governor.

#### ROADS

**51.** The plan of the town, made by Emile Vanier, provincial land surveyor, and homologated on the 22nd of October, 1891, by the Superior Court, in Montreal, with the amendments since made and homologated, is and shall be known as the "general plan of the municipality of the town of Maisonneuve." Plan of the town.

**52.** The above official plan is final, decisive and binding upon the said corporation and proprietors therein interested and upon all other persons; and no indemnity or damage shall be claimed or granted at the time of the opening of any of the new streets, by-roads, avenues, public places, squares or boulevards indicated on the said plan, for any building or improvement whatsoever which the proprietors or any other persons may have made or caused to be made, after the confirmation of the said plan, upon any land or property reserved, either for new streets, by-roads, avenues, squares or boulevards, or for the widening of any of the said streets, public places or boulevards of the said town; provided that the expropriation be asked for by the interested parties within ten years from the date of the homologation of the said plan and of the part thereof which includes such expropriated property; and provided also that nothing contained in this act shall be construed as depriving the said corporation of the right of widening any of the streets, public places or boulevards designated in such plan, after its confirmation, if the corporation deem it advisable so to do; but, after any such plan shall have been confirmed, no alteration shall be made unless approved by a vote of two-thirds of the members of the council. Plan binding upon town and proprietors, &c. Effect of plan as to damages, &c.



Changes may  
be made in  
plan, &c.

**53.** The council may make changes in the homologated plan of the town or even make a new official plan, trace thereon new streets, avenues, boulevards and do everything that it may deem expedient, but this act shall not apply to such modifications or to such new plan until after they have been homologated by the Superior Court or by a judge thereof in the following manner: the corporation shall, by its attorney, apply, by summary petition to the Superior Court in and for the district of Montreal to obtain the confirmation and ratification of such plan or map, after public notice shall have been given of the day and hour at which such petition shall be presented in two newspapers, published one in the English and one in the French language in the city of Montreal, provided such notice be inserted at least twice in each of such newspapers and that at least fifteen days have elapsed between the date of the last insertion of such notice and of that of the presentation of such petition.

Require to be  
homologated  
by Superior  
Court.

Duplicate to  
be filed in  
office of Su-  
perior Court.

**54.** A duplicate of the said plan shall be deposited, immediately after its completion, in the office of the prothonotary of the Superior Court, and another in the archives of the said corporation; and, when such plan shall have been confirmed and ratified by the Superior Court, as aforesaid, the secretary-treasurer shall make an entry, upon the duplicate of the said plan deposited in the archives of the said corporation, in the following words: "*Confirmed by the Superior Court on the*                      *day of*                      *, one thousand*                      *."*

Entry on plan  
after homo-  
logation.

Entry upon  
lands by sur-  
veyors enga-  
ged in making  
surveys for  
plan., &c-

**55.** The surveyors or other persons, employed in the exercise of the duties assigned to them in and by this act, may, and they are hereby authorized to enter, in the day time, upon any property or real estate, within the limits of the town, and shall, under the direction and supervision aforesaid, make out plans or maps, at the expense of the corporation, indicating the streets, highways, by-roads, avenues, squares and boulevards, now existing, as well as those they shall lay out and determine by virtue of this act; and they shall designate, upon the said plans or maps, the new lines of such streets or sections of streets, public highways, by-roads, avenues, squares and boulevards that the said corporation may have determined to widen in the interest of the public.

Power of  
council to  
open up  
streets, &c.

**56.** It shall be lawful for the council of the town, at any time, within the whole extent of the limits of the town to cause public streets, by-roads, avenues, squares and boulevards to be laid out and opened, to widen, alter the level of, straighten or extend those already in existence, and for that purpose to acquire or expropriate the necessary

grounds, either at the expense of the corporation, in whole or in part, or at the expense of the parties benefited, in whole or in part; provided that, when the works or improvements are charged to a portion only of the inhabitants of the town, as the parties benefited, the latter may, by petition served upon the council, within the fifteen days following the publication of the limits of the property benefited, signed by two-thirds in value and the majority in number of the said parties, oppose the projected expropriation; in such case, the expropriation cannot take place, unless the town pays one-half of the total cost of such expropriation.

Proviso as to objection in certain cases.

A special tax may be imposed upon the parties benefited, according to the amount of the benefit they derive from the improvement.

Special tax upon parties benefited.

(a) Immediately after having decided upon an expropriation, the town shall, by a petition, presented to a judge of the Superior Court of the district, cause three competent and disinterested persons to be appointed, one of whom shall be selected from amongst the names suggested by the town, and another from amongst the names suggested by the proprietor or proprietors, if they have suggested any, to act as arbitrators, which arbitrators shall settle and determine the price or compensation to be granted for each such immovable to be expropriated. But such petition shall be preceded by a public notice, of at least ten days, published in the usual manner.

Petition for appointment of arbitrators when expropriation decided upon.

Notice of petition.

(b) After having been sworn, the arbitrators shall determine the limits, within which the lands are situated which benefit by the improvement; they shall publish the limits so fixed by them in the usual manner.

Duties of arbitrators after being sworn.

(c) When necessary, the arbitrators shall, after having made their report and deposited it in the office of the council, in accordance with article 4566 of the Revised Statutes, make out an assessment roll for the purposes of apportioning, in the manner which they may deem the most fair and reasonable, the whole cost of the expropriation, all the expenses being included, in whole or in part, as the case may be, upon all the immovables comprised within the limits already published, according to the amount of benefit each immovable shall have derived, or shall derive from the improvement. In making such apportionment the arbitrators shall not take the buildings into consideration.

Arbitrators to make assessment roll.

(d) When a proprietor makes over, gratuitously, a lot of land to the town for a street through his property, the remainder of his property fronting on the new street may, by resolution of the council, be wholly or partly exempted from the apportionment rendered necessary by the opening of the new street, provided the part exempted be not more than one hundred and fifty feet in depth.

Proprietor making over gratuitously lot for a street not liable for certain assessment.

Deposit of assessment roll made by arbitrators and notice thereof.

Confirmation of roll.

Coming into force and collection of assessments thereunder.

Council to determine time &c., of collecting taxes.

R. S., 4569, replaced for town.

Deposit of money in court, if expropriated proprietor unknown, &c.

Prothonotary to draw up judgment of distribution.

Effect of payment or legal tender of amount.

Register of streets, &c.

(e) The roll signed by the arbitrators shall remain deposited in the office of the council for fifteen days after public notice thereof shall have been given in the usual manner. When this delay has expired, if any complaint, in writing, has been made, the arbitrators shall decide whether any changes are to be made in the roll or not ; they shall, afterwards, confirm the roll in a final manner.

(f) The said roll shall come into force from the latter date, and the secretary-treasurer shall collect the assessment in the usual manner and with the privilege attached to ordinary taxes and assessments.

The council may, nevertheless, as it may deem expedient, determine the time and manner of collecting such taxes.

**57.** Article 4569 of the Revised Statutes is replaced, for the town, by the following :

If the expropriated proprietor be unknown or if the council through fear of a claim or for any other reason deem advisable to do so, it deposits the amount of the indemnity in the office of the prothonotary of the district with a copy of the deed of agreement or of the arbitrators' award. The prothonotary shall, at the request of the interested party, draw up a judgment of distribution of such amount according to the rights of the parties in accordance with article 794 and following of the Code of Civil Procedure.

Payment or legal tender of the amount of the indemnity agreed upon or awarded or the deposit in virtue of this section has the same effect as regards the corporation as a sheriff's title, and the latter becomes the absolute owner without registration.

**58.** The town shall keep a public register of the streets, lanes or public places belonging to the municipality.

#### POWERS OF THE COUNCIL

Powers of council under Revised Statutes and Municipal Code and further council has power :

To forbid &c., erection of steam engines, &c. ;

To provide measures for preserving town from contagious or pestilential diseases, &c. ;

**59.** The council of the town shall have all the powers, rights and privileges granted by the Revised Statutes and by the Municipal Code to municipal councils, and shall further have the following rights and powers :

1. To forbid the erection of steam-engines or boilers in the limits of the town for manufactories or other purposes, except with the permission of the council, and to provide for the inspection of such steam-engines or boilers, and to impose and levy a fee to that effect ;

2. To prescribe the necessary measures for preserving the inhabitants of the town from contagious or pestilential diseases or diminishing the dangers or effects of such diseases, to establish one or more boards of health, and to appoint a competent person, for the inspection of meat

and of milk, which shall be sold or offered for sale in the town, and to confer upon him the power of confiscating all meat and all milk which are not of good quality, or which might be an unwholesome article of food or injurious to the public health ; and, by resolution or by-law, impose a fine and imprisonment in default of payment of such fine, upon any person selling or offering for sale in the town such unwholesome or bad meat or milk ;

3. To regulate the construction, dimensions, and height of the chimneys above the roofs, and even, in certain cases, above the neighbouring houses and buildings, and authorize the building inspector to regulate within what delay, by whom and in what manner they shall be raised, repaired or built.

To regulate construction, &c., of chimneys, &c. ;

4. To provide for the regulation and inspection of the construction and repair of houses and buildings in the city which are built, or being built, or which may hereafter be built ; the mode of constructing them, the materials to be employed, the fire-escapes to be placed therein ; appoint a building inspector with power to examine the interior and exterior of all buildings, to repair, alter, cause to be vacated, to isolate or demolish at the expense of the proprietor every dangerous building or chimney, and may determine and give to such inspector all the powers necessary for his office ; and impose a fine not exceeding ten dollars for each day's delay in complying with the orders of the said inspector, in accordance with the by-laws of the council ;

To provide for regulation and inspection of construction of houses, &c.

Penalty.

5. To levy, by assessment, the money sufficient for making or repairing one or more common sewers, connections and other accessories, in all the streets of the town, whether opened or not to the public, upon all owners of lots situated on such streets, or have such work done, in whole or in part, at the expense of the corporation ; regulate the mode of collecting such taxes, with or without delay for payment ; and regulate the manner of making such sewers, the materials to be employed, both for private drains and every other accessory, including connections, whether they be made by the town or by the proprietors ;

To levy by assessments moneys for making common sewers, &c. ;

To regulate manner of making such sewers, &c. ;

6. To excavate any of the streets of the town, lay pipes or other things therein, and use the said streets, in any manner and do any work whatsoever therein, whether it be the proprietor thereof or not, provided such streets have been opened to the public for over three years ;

To excavate in streets and lay pipes, &c. :

7. Enter into any agreement, which it may deem expedient, in the interest of the town, with the proprietors, with reference to the payment of the assessment for sewers or as to the construction or connection of such sewers or other works or as to all general or special taxes or apportionments whatsoever ;

To enter into agreements with proprietors as to payment of assessments ;

8. Whenever a proprietor or occupant of lands or buildings refuses or neglects, within the prescribed delay, to have the

To have work done which has not been

done by proprietors and to collect cost thereof from such persons ;

building, demolishing or other work done which has been ordered by the council or its officers, under the law or by-laws, or cannot do the same owing to absence, poverty or other reasons, to have such work done by itself or through its officers, and collect the cost thereof from the person or persons who were bound to perform such works, with the same privileges or hypothecs as ordinary taxes, with interest at six per cent.;

To regulate &c., dangerous trades, &c. ;

9. To regulate or prohibit the erection, use, or working of any establishment, manufactory, industry or trade of a dangerous or hurtful nature or of a nature to endanger the public health and safety, or generally considered as such, and to impose a fine, not exceeding one hundred dollars, for every day that the infringement of any by-law made under this section shall last, and an imprisonment not exceeding one month in default of payment ;

To compel proprietors, &c., of houses, &c., to fence in same.

10. To compel every proprietor of an hotel, restaurant, or house of public entertainment, to fence in his property and to inclose his yards, privies and dependencies, so as not to be exposed to the public view, and, in default, to impose a fine, not exceeding twenty dollars, or fifteen days' imprisonment, for every infringement of such by-law ;

To compel persons using steam-engines &c., to provide them with smoke, &c., consumers, &c. ;

11. To compel persons owning or using steam-engines, boilers, manufactories of chemical products or other establishments to provide them with smoke and gas consumers or other apparatus, so as to remove everything that may be injurious to the public, and, in default, to impose a fine, not exceeding one hundred dollars, for every day that the infringement of any by-law made under this paragraph shall last, and imprisonment, not exceeding one month, in default of payment ;

To regulate sale, &c., of lumber, &c. ;

12. To regulate the sale, weight, quantity, quality, weighing, measuring of lumber for building purposes, sawn lumber, cord wood, coal, lime, building materials, hay, grain, milk, bread, salt, spices, meat, fowl, game, produce or any other article or product whatsoever brought, exposed or offered for sale or intended to be sold, in the town, by strangers or by residents ; and to confiscate any article, not in accordance with the by-law to be made under this paragraph in addition to any fine which may be imposed, and to authorize its officers to examine anything coming under this paragraph, in any part of the town whatsoever ;

To confiscate such as are not in accordance with the by-law ;

To fix a sum to be paid for permits ;

13. To fix a sum, not exceeding one hundred dollars per diem, to be paid for obtaining permits, under the by-laws or the resolutions of the council or the law ;

To prohibit &c., the sale of intoxicating liquor, &c. ;

14. To prohibit entirely, or limit the number of licenses, locate the houses licensed for the sale by retail of spirituous, alcoholic or intoxicating liquors, and impose all the restrictions and conditions, which it may deem advisable, upon such commerce ; and to have full discretion as regards granting or refusing the confirmation of the license certificate ;

15. To supply electric or other light to the residents of the town or to persons residing outside, at the price and on the conditions fixed by the council, the collection of the price to be paid for such light being effected in the same manner as for the water-rates, with the same privileges; to determine the mode of collection; no person, however, being bound to take the said light;

16. To prevent on Sundays all public games, races, theatres or public amusements contrary to morals or to public tranquility.

To supply electric or other light to residents, &c.

To prevent all public games, &c., on Sundays;

60. Notwithstanding article 4404 of the Revised Statutes and in the spirit of the said article, permission is hereby granted to the town to grant aid to any railway, manufactory, brewery, distillery or other industrial or commercial establishment now established or which may wish to establish themselves within the limits of the town, by giving or undertaking to give them land for their buildings and operations, provided such bonus to any one company shall not exceed ten thousand dollars. The town may acquire such land or lands, either for cash or on credit.

To aid railways; &c.;

Proviso.

The aid or bonus for the purchase of the land in the town required for their operations, to wit: three thousand five hundred dollars to the Imperial Brush Manufacturing Company, for a brush factory, nine thousand dollars to the Watson Company, for a wall-paper factory, is, in each case, declared valid and confirmed, pending cases not being affected by this act.

Certain aid confirmed.

The rights and privileges granted by the town to the Montreal Island Belt Line Railway Company are declared valid, ratified and confirmed.

Certain privileges ratified.

61. The town shall have all the powers mentioned in articles 4485 and following to 4497, inclusively, of the Revised Statutes, without being obliged to have water-works within its limits, provided it can supply water from the city of Montreal or elsewhere to the inhabitants of the town; and the by-law respecting the water supply of the town is declared legal for all lawful purposes.

Powers as to water-works.

#### MUNICIPAL NOTICES

62. Article 4367 of the Revised Statutes is replaced, for the town, by the following:

R. S., 4367, replaced for town.

Every public notice, for municipal purposes, shall be published in accordance with article 4367 of the Revised Statutes, except that, in the cases of a loan or a by-law for a bonus, the preparation of a valuation or collection roll, and in all cases in which the council thinks it proper, it should be given, by

How public notices shall be published.

one or more insertions in a French and in an English newspaper of the city of Montreal.

Who may  
serve and post  
notices.  
Return of ser-  
vice.

**63.** The secretary-treasurer, every bailiff of the Superior Court, every policeman or sworn constable belonging to the police force of the town, may serve or post up municipal notices, and his return under his oath of office is an authentic document and is evidence of its contents.

#### MUNICIPAL POLICE

Power to ap-  
point, &c.,  
police force.

**64.** It shall be lawful for the council, by resolution, to appoint, dismiss and replace, from time to time, as occasion may require, a sufficient number of men to compose the police force of the town.

Men to be  
sworn.

2. Such men shall be sworn before any justice of the peace for the district of Montreal, to act as police officers or constables, in order to preserve peace within the said town.

Police to obey  
orders.

3. The police officers or constables shall obey all legitimate orders they may receive from the council, from any of its members individually, or from any justice of the peace of the district of Montreal.

Powers vested  
in police.

4. All and every the police officers or constables aforesaid shall be vested with all the necessary powers for the performance of the duties imposed upon them; and it shall be lawful for them to arrest on view, and without a warrant, any person they may find breaking the public peace, or lying or loitering, either during the night or day-time, in any highway, field, yard or other place, or lying or sleeping in any barn, out-house or other unoccupied building, or under any tent, cart, or other vehicle, and not giving a satisfactory account of himself, as well as any person drunk or causing tumult in the public streets or highways, or on wharves or bridges, or any part of the beach of the river St. Lawrence, within the limits of the town, by shouting, swearing or otherwise, and, in a like manner, any person infringing or attempting to infringe any federal or provincial law, or any by-law of the town, or committing or attempting to commit any offence whatever punishable by law, and all persons advising, aiding or encouraging anyone to infringe any such federal or provincial law, or any such by-law of the town; and it shall be lawful for them to arrest on view, and without a warrant, any such persons immediately after the commission of the offence, on good and sufficient information being given as to the nature of the offence.

Power of ar-  
rest.

5. They shall have power and authority to arrest, even outside the limits of the town, all persons who shall have infringed any federal or provincial law, or any by-law of the town, or who shall have advised, aided, or encouraged any one to infringe any such federal or provincial law, or any such by-law.

6. They shall have power and authority to serve all sum- Power to serve writs of summons, &c. mons and subpœnas and execute all warrants and other proceedings for the arrest and the confining in gaol of all persons accused or detained for subsequent examination or for trial, or arrested in virtue of a warrant of arrest for the commission of any crime, or offence against or infringement of any federal or provincial law, or any by-law of the town.

7. They shall have also power and authority to enter every Power to enter into inns, &c. inn, hotel, and every licensed shop for the sale of spirituous, vinous or fermented liquors, to ascertain if the laws governing such houses, or if the municipal by-laws be observed, and to arrest on view, and without a warrant, all persons found in every such house, in contravention of all such laws or by-laws.

8. The said police officers or constables may, at any time, Power, on written permission, to enter store to search for liquors. upon the written permission of the mayor or of two municipal councillors, enter any store-house, shop or other house, whether licensed or not licensed for the sale of spirituous, vinous or fermented liquors, wherein they shall have reason to suspect such liquors to be sold.

9. The said officers may enter any yards, buildings and Power to enter yards, &c., for certain purposes. dwellings for the purpose of ascertaining whether some offence is being committed there against the municipal by-laws.

10. Any such persons so summarily arrested shall be conveyed to the gaol of the district of Montreal, or to one of the police stations of the town, there to be safely kept until they may be taken before the mayor, or one or two justices of the peace; but such persons so arrested may give bail or a sufficient recognizance, to be taken or received by the said mayor, or justices of the peace or by the clerk of such justices of the peace or by the chief of police of the town, to appear, and shall appear on the day appointed, before the said mayor or the justice or justices of the peace. How persons arrested summarily are to be dealt with.

11. The constables or police officers shall have power Power to serve notices, &c. and authority to serve all special notices and to publish all public notices in accordance with the various provisions of this act, and they shall certify to the correctness thereof under their oath of office, without being obliged to take a special oath to that effect.

#### MISCELLANEOUS PROVISIONS

65. With the exception of the by-laws which must be Council exercises its power by by-laws and resolutions. submitted to the approval of the proprietors who are municipal electors, the town council may exercise its powers by by-law or resolution.

66. The by-laws of the town shall be deemed to be By-laws to be public laws. public laws, and as such they shall be judicially taken cogni-



zance of by any judge or other person without its being necessary to plead them specially.

Fiscal year.

**67.** The fiscal year for the town shall run from the first of January of one year to the first of January of the following year, and, at the end of each year, the books of account of the town shall be audited and balanced.

R. S., 4532,  
replaced for  
town.

**68.** Article 4532 of the Revised Statutes is replaced, for the town, by the following :

Meeting of  
electors.

For such purpose, a meeting of all municipal electors who are proprietors is convened for a day fixed by the council, by a public notice signed by the mayor ;

President, sec-  
retary.

Such meeting is presided over by the mayor or by the person designated by the council, and the secretary-treasurer acts as secretary ;

Demand for  
poll.

Six electors present, qualified to form part of the meeting, may require a poll for the purpose of ascertaining whether the by-law is approved or disapproved ; and, on such demand, the mayor or officer presiding shall fix, within the eight days next ensuing, a day for the opening and holding of the poll.

R. S. 4533, re-  
placed, for  
town.

**69.** Article 4533 of the Revised Statutes is replaced, for the town, by the following :

Holding of  
poll.

The poll shall be held and presided over by the mayor or by the person designated by the council, with the assistance of the secretary-treasurer.

Duration of  
polling.

It shall be held on one juridical day from eight in the morning to five in the evening.

Certain ex-  
penses, &c.,  
declared val-  
id.

**70.** All the expenses incurred by the town up to the present day for works, improvements or other necessary or lawful things actually paid and due on bonds, promissory notes, or otherwise than on debentures, are declared valid and legal and ratified to all intents and purposes.

Notice to be  
given before  
suit brought  
against town.

**71.** No prosecutions, actions or suits against the town in connection with claims for damages shall be brought or instituted unless within six months from the date of the act complained of and unless a previous notice of thirty days, giving the plaintiff's address and setting forth the object and the amount of the demand, has been served upon the town.

Town may  
always call in  
debentures.

**72.** Unless the by-laws authorizing a loan or loans contain a declaration to the contrary, the town shall always be allowed to call in any of its debentures or bonds whatsoever, when it is in a position to do so with advantage.

In such case the interest on the debentures or bonds shall cease to run one month after the date of the publication of the calling in thereof in the *Quebec Official Gazette*.

Interest to cease to run after publication of calling in, &c.

**73.** The secretary-treasurer may, in the name of the town, answer interrogatories on articulated facts; and, in cases where the town shall be garnishee, he may make the declaration required by law on behalf of the town, without being thereunto authorized by a resolution of the council.

Secretary-treasurer may answer interrogatories on articulated facts, &c.

**74.** The mayor may authorize the secretary-treasurer to pay any account due by the town, provided the amount of such account does not exceed twenty-five dollars

Mayor may authorize certain payments.

**75.** The acts 46 Victoria, chapter 82; 51-52 Victoria, chapter 89; 56 Victoria, chapter 57; 60 Victoria, chapter 65, are repealed, in so far as they are inconsistent with this act.

46 V., c. 82; 51-52 V., c. 89; 56 V. 57; 60 V., c. 65, repealed.

**76.** Articles 4216, 4227, 4232, the last paragraph of article 4241, and articles 4242, 4243, 4244, 4247, 4251, 4253, 4254, 4255, 4256, 4257, 4258, 4262, 4263, 4264, 4414, 4452, 4500, 4532, 4533, 4554, 4555, 4565 and 4569 of the Revised Statutes shall not apply to the town and are especially excepted, and all the provisions of the Municipal Code of this province, that are not inconsistent with this act and with the town corporations general clauses act, shall apply thereto and form part thereof, so far as the same is possible, *mutatis mutandis*.

Certain articles of R. S., not to apply.

Certain provisions of the Municipal Code to apply.

**77.** This act shall be known as the "Charter of the town of Maisonneuve" and shall come into force on the day of its sanction.

Name of act. Coming into force.

Nevertheless, for the election to be held in the month of March, 1898, it shall be sufficient that candidates for mayor or councillor possess, at the time of their nomination the immoveables upon which they qualify, according to paragraph 4 of section 14 of this act.

Qualification of candidates for mayor and councillor at March election.

The present councillors shall, during their term of office, remain, as to their qualification upon real estate, subject to the law in force at the time of their election.

Law applicable to qualification of present councillors.

## CAP. LVIII

## An act to amend the charter of the town of St. Louis

[Assented to 15th January, 1898]

## Preamble.

**W**HEREAS the corporation of the town of St. Louis has, by its petition, prayed, that certain amendments be made to the act 59 Victoria, chapter 55, and to the act 60 Victoria, chapter 64, and whereas it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

59 V., c. 55,  
art. 15,  
amended.

**1.** Article 15 of the act 59 Victoria, chapter 55, is amended, by adding after paragraph 4, the following :

Payment of  
taxes required  
to give tenants  
right to vote.

“ 5. Every tenant must, in order to be entitled to vote at the municipal election, have paid all business taxes and licenses.”

59 V., c. 55,  
art. 10 amend-  
ed.

**2.** Article 10 of the act 59 Victoria, chapter 55, is amended by adding, after paragraph 3, the following :

Stamp may be  
used for signa-  
tures of mayor  
and secretary-  
treasurer to  
certificates,  
notices and  
coupons.

“ 4. The mayor and secretary-treasurer of the town may, respectively, affix their signature to the certificates and notices that they are bound to give under the present act, as well as upon the interest coupons of debentures, by means of a stamp, which shall have previously been approved of by the council and which shall be exclusively used for that purpose.

Effect of such  
stamping.

The affixing of the signature by means of such stamp shall, for all purposes whatsoever, be as valid as if the mayor and the secretary-treasurer had signed, with their own hands.

Documents so  
stamped to be  
deemed au-  
thentic.

The production of any document or instrument bearing such stamped signatures, shall be *prima facie* evidence of the authenticity of such documents, and of the authority possessed by such officers to affix the same, and, with the exception of the aforesaid officers, every other person is forbidden to use such stamp, under a penalty of forty dollars with or without imprisonment.”

Penalty for  
using stamp  
when unau-  
thorized.

59 V. c. 55,  
art. 13, re-  
placed.  
Quorum.

**3.** The third paragraph of article 13 of the act 59 Victoria, chapter 55, is replaced by the following :

“ The quorum of the council shall be five members besides the mayor or his substitute.”

59 V., c. 55,  
art. 16a re-  
pealed.  
R. S., 4515,  
replaced for  
town.

**4.** Article 16a of the act 59 Victoria, chapter 55, as enacted by section 1 of the act 60 Victoria, chapter 64, is repealed, and article 4515 of the Revised Statutes is replaced, for the town, by the following :

During the month of November following that when a new valuation roll has come into force, the secretary-treasurer makes out, for each ward, an alphabetical list of the names of the persons who, according to such roll, appear to be municipal electors.

List of electors when, and by whom made.

5. The second paragraph of article 16 of the act 59 Victoria, chapter 55, is replaced by the following :

59 V., c. 55, art. 16, amended.

"The mayor and councillors remain in office for three years, except in the case provided by article 4197 of the Revised Statutes.

Term of office of mayor and councillors.

A general election of the whole council shall be held in the months of January and February, 1898, and, thereafter, in each year one councillor shall be replaced in each ward of the town ; the councillor who is to go out of office shall be designated by drawing lots in the council, at a sitting thereof in the month of December preceding the election, among the councillors of each ward, and so on in subsequent years, to the exclusion of the councillor elected at the previous election."

General elections when to be held, &c.

6. Article 26 of the act 59 Victoria, chapter 55, is amended by adding, after paragraph 9, the following :

59 V., c. 55, art. 26, amended.

"9a. Make rules and draw up regulations respecting persons using bicycles or other vehicles not drawn by horses within the limits of the town ;

Use of bicycles, &c., in town ;

"9b. Prevent the throwing, in the streets or public places, and upon the sidewalks, of substances that are dangerous and injurious both for persons and for horses, vehicles and bicycles ;

Throwing substances into streets forbidden ;

"9c. Regulate or prevent begging, and prohibit the exhibition of sores and infirmities in the streets and public places of the town ;

Begging ;

"9d. Prohibit the passing of stove-pipes through roofs, and determine, in certain cases, the nature of the materials to be used in building roofs ;

Stove pipes through, and materials of roofs ;

"9e. Determine the manner of keeping wood-yards and coal-yards, and provide for the measuring of wood and coal ;

Coal and wood-yards ;

"9f. Suppress games of skill or of hazard or authorize them by means of permits ; restrict, regulate or prohibit the keeping of public billiard rooms, pigeon-hole table rooms or other similar establishments ;

Games of skill, &c ;

"9g. Regulate the construction of latrines, cellars, sewers and ovens, and also steam-engines of manufactories and workshops ;

Latrines, &c ;

"9h. Permit any constable or police officer to enter and visit, at any hour of the day or night, any house of ill-fame or gaming house, and immediately bring before a justice of the peace in the town any person found in the said house or keeping the same, and contravening the law or by-laws of the

Authorizing police officers to enter certain houses for certain purposes ;

town, and to have such person summarily condemned to a fine not exceeding twenty-five dollars, payable at once and without delay, and, in default thereof, to an imprisonment not exceeding two calendar months ;

Idem taverns,  
&c;

9i. Permit every constable or police officer to enter at all times and at any hour of the day or night, and visit any tavern or place of public entertainment, in order to ascertain that no infringement of any of the by-laws of the town is being committed ;

Arrest of va-  
grants, &c.

9j. Permit every constable to arrest on view every person found drunk or disorderly in the public roads or streets, or in public or in private fields, or any person shouting, swearing or insulting passers-by in the public roads or streets, or loitering by day or night, in public or private roads or in public or private fields, and unable to give a satisfactory account of himself, and bring him before a justice of the peace, who may condemn him summarily, to a fine not exceeding twenty dollars, and to an imprisonment not exceeding two calendar months in default of payment."

59 V., c. 55,  
art. 33, re-  
placed.

7. Article 33 of the act 59 Victoria, chapter 55, as replaced by section 5 of the act 60 Victoria, chapter 64, is again replaced by the following :

Maximum of  
debt of town.

"33. The debt of the town shall not at any time exceed fifteen per cent. of the assessed value of the real estate of the town.

Valuation of  
certain prop-  
erty for such  
purpose.

For the purpose of determining such debt, the value of the property occupied by the Montreal Exposition Company, as borne upon the valuation roll, shall be considered as an assessable value.

Certain sums  
not to be com-  
puted in cal-  
culation.

The amounts due by proprietors for the construction of sewers, as well as those due by the Montreal Water and Power Company for the continuation of the water works, which, in virtue of existing by-laws and contracts, are repayable by the proprietors of the said Montreal Water and Power Company, shall not form part of the said debt, provided that if, at any time, the council should exceed the limits above mentioned, every councillor who shall contribute by his vote to exceed such limit shall be personally responsible for all such excess ; provided further that no contract for the construction of a work or for the purchase of goods and materials of a value exceeding five hundred dollars shall be lawful nor shall it be passed by the council or signed by the mayor or any other member of the council in favor of any person, firm or company, unless tenders have been previously asked for by public notice, published three times in one week, in a French and in an English newspaper in circulation in the municipality, and unless the accepted tender has been ratified by at least six councillors.

Proviso, if lim-  
its exceed-  
ed, &c.

**"33a.** The council may by by-law order the erection of a town-hall, but the contract for the erection thereof shall have effect only if the by-law passed for that purpose has been duly approved in the same manner as by-laws respecting loans."

**8.** Article 53 of the act 59 Victoria, chapter 55, is amended by adding, after paragraph 5, the following :

Erection of town-hall.  
art. 53, amended.

**"5a.** Upon every proprietor, possessor, agent, manager and keeper of a theatre, menagerie, circus, travelling show and other establishments for games and amusements in the town ;"

Tax upon proprietor, &c., of theatres, &c.

**9.** Article 53 of the act 59 Victoria, chapter 55, is amended by adding, after paragraph 11, the following :

59 Vic., c. 55, art. 53 amended.

**"12.** A tax not exceeding twenty dollars on every public laundry doing business in the town ;

Tax on laundries ;

**"13.** On each bicycle a sum not exceeding two dollars."

On bicycles.

**10.** The following article is added after article 66b of the act 59 Victoria, chapter 55, as enacted by the act 60 Victoria, chapter 64, section 9 :

Art. added after 59 V., c. 55, art. 66b.

**"66c.** The town cannot expend more than ten thousand dollars per annum for expropriations and purchases of land, unless it be authorized by a by-law duly approved by the electors in the same manner as for by-laws respecting loans."

Town cannot expend more than certain sum for expropriations.

**11.** The following article is added after article 72 of the act 59 Victoria, chapter 55 :

Art. added after 59 V., c. 55, art. 72.

**"72a.** The recorder and recorder's court have the jurisdiction of the commissioners' court within the limits of the town, and all the provisions of the Code of Civil Procedure, respecting the jurisdiction of the commissioners' court, and of the procedure before such court, apply *mutatis mutandis*, as the case may be, to the recorder and to the recorder's court."

Jurisdiction of recorder's court.

**12.** This act shall come into force on the day of its sanction.

Coming into force.

## CAP. LIX

## An Act to amend the charter of the town of Salaberry of Valleyfield

[Assented to 15th January, 1898]

## Preamble.

**W**HEREAS the town of Salaberry of Valleyfield has, by petition, represented that it is necessary to amend its charter, and it is expedient to grant its prayer;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Sec. added  
after 57 V., c.  
63, s. 20.

**1.** The following sections are added, after section 20 of the act 57 Victoria, chapter 63 :

Certain agree-  
ments as to  
taxes may be  
made when  
certain prop-  
erty is an-  
nexed to the  
town.

Duration of  
such agree-  
ments, &c.

**"20a.** The council, may, in the case of the annexation of lands under cultivation, impose or agree to impose a real estate tax less than that levied on other immoveables already forming part of the town, enjoying the advantages granted by the town and especially those arising from the water-works, light and drainage.

Such agreement shall have effect only during such time as the lands so annexed shall be under cultivation and for ordinary expenses of administration only.

M. C. may be  
made to apply  
to certain  
property  
when annex-  
ed.

**"20b.** The council, for the administration of the annexed lands under cultivation as aforesaid, may, if it deem expedient, apply, by by-law, the provisions of the Municipal Code to the administration of such lands, by making a special mention to that effect in such by-laws."

Id., s. 23, re-  
placed.

**2.** Section 23 of the said act is replaced by the following :

Benefits, &c.,  
after annexa-  
tion.

**"23.** From and after the annexation, the proprietors of land annexed by virtue of the five preceding articles shall enjoy all the benefits, rights and privileges conferred by this act upon the inhabitants of the town, and be subject to the duties and obligations imposed upon them by the said act or the by-laws annexing them to the town, as the case may be ; and any annexation, thus made for municipal purposes, shall be considered to be, at the same time, an annexation of the same territory to the school municipality of the town for school purposes."

Id., s. 113, re-  
placed.

**3.** Section 113 of the said act is replaced by the following :

Interested  
electors not to  
vote on cer-  
tain by-laws.

**"113.** No elector who is a proprietor can vote, if the by-law submitted to the electors grant any privilege or benefit to himself personally, or to the partnership, company or corporation of which he is a member or shareholder."

4. The following section is added, after section 120 of the said act :

"120a. The exercise of the rights and powers conferred on the town by subsections 7 and 8 of section 120 is not subject to renewal."

Sec. added after id., s. 120.

Certain rights, &c., not subject to renewal.

5. The following section is added, after section 296 of the said act :

"296a. Lands under cultivation, annexed in virtue of sections 20 and following of this act, are taxed in accordance with the conditions of the by-law annexing them to the town."

Sec. added after id., s. 296.

How lands under cultivation are to be taxed.

6. This act shall come into force on the day of its sanction.

Coming into force.

## C A P. L X

### An Act to incorporate the town of St. Lambert

[Assented to 15th January, 1898]

WHEREAS the village of St. Lambert has prayed to be incorporated as a town under the provisions of chapter first of title eleventh of the Revised Statutes respecting town corporations ;

Preamble.

Whereas it is for the advantage and welfare of the said village, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

#### INCORPORATION OF THE TOWN

1. The inhabitants of the town of St. Lambert, hereinafter described, and their successors are hereby constituted a body politic and corporate under the name of the " Town of St. Lambert."

Inhabitants incorporated as a town. Name.

The town of St. Lambert shall comprise the tract of land situated within the boundaries of the present village of St. Lambert.

Extent of territory.

The town of St. Lambert is subject to the provisions of the law governing town corporations, hereinafter called the " general act," contained in chapter first of title eleventh of the Revised Statutes respecting town corporations, with the exception of articles 4229, 4234, 4243 to 4264, inclusively, 4414, 4529, 4530, 4533, and 4536, which shall apply to the town of St. Lambert, only as hereinafter provided.

Laws to govern.



Town succeeds to village in all its rights, &c.

The town of St. Lambert succeeds to all the rights and obligations of the village of St. Lambert, and all contracts existing between the village of St. Lambert and third parties shall remain in full force and effect.

Present councillors and municipal officers continued in office.

Until the first session of the new council of the town of St. Lambert, as hereinafter provided, the council of the village of St. Lambert shall be the council thereof, and the officers of the said village shall be the officers of the said town until removed or replaced by the council.

Existing by-laws, &c., continued.

**2.** All by-laws, resolutions, acts and valuation and assessment rolls, reports of commissioners and acts of the council of the village of St. Lambert shall remain in force until they are repealed or amended by the council of the town of St. Lambert.

Corporate seat.

**3.** The corporate seat of the corporation of the town of St. Lambert shall be within the limits of the town.

When and where first election of mayor and councillors to be held.

**4.** The first election of mayor and members of the council of the town of St. Lambert shall be held at the place where the sessions of the council of the village of St. Lambert have been heretofore held, and shall take place on the second Monday of February next, at nine o'clock in the forenoon, and shall be presided over by the secretary-treasurer of the village of St. Lambert, maintained in office as above, or, in his absence by a person named by the majority of the electors present.

Who presides.

Nominations when and where to be made.

Nominations for this election must be made in writing, signed by at least five municipal electors, and deposited with the presiding officer between eight and nine o'clock in the forenoon of the election day.

Proof of qualification of electors.

**5.** The valuation roll in force at the time of the first general election of councillors shall be the proof of the qualifications of the electors.

#### THE TOWN COUNCIL

Composition of town council.

Duration in office of councillors.

When replaced.

How those to retire at first general elections are to be chosen.

**6.** The council of the town shall be composed of a mayor, elected annually, and six councillors, who shall be elected for two years, except in the case provided by article 4197 of the general act; but three must be replaced at the time of the general election of the town following the first election provided by section 4, and the three others at the same time in the year that follows, and so on in the future.

The councillors, who are to retire at the first general election, shall be chosen by lot at the session of the council in the month of January preceding; in default whereof the

retiring councillors shall be chosen by lot, by the officer presiding the said election immediately after the opening of the meeting.

**7.** The quorum of the council shall be composed of a majority of its members.

Quorum of council.

**8.** The first meeting of the town council shall be held at the ordinary place of meeting of the council of the village of St. Lambert, and shall continue to be held at the said place until otherwise ordered by the council.

Where meetings of town council to be held.

**9.** The corporation of the town of St. Lambert may have a seal and alter and change the same at will.

Seal.

#### MUNICIPAL ELECTIONS

**10.** Article 4227 of the general act is amended, for the town, by adding thereto the following :

R. S. 4227, amended for town.

Spinsters and widows shall have the right to be entered upon the list of the electors of the town, and to vote at all municipal elections therein and on all questions submitted to such electors, when otherwise qualified as hereinabove provided.

Spinsters and widows to be entered on list of electors, &c.

**11.** Article 4229 of the general act is replaced, for the town, by the following :

R. S. 4229, replaced for town.

The general elections take place every year in the month of February.

Time for general elections.

The nomination takes place at eight o'clock in the morning on the second Monday of February, and the polling, when required, shall be held on the third Monday of the same month.

Nominations and polling when to take place.

**12.** Article 4234 of the general act is replaced, for the town, by the following :

R. S. 4234, replaced for town.

The meeting of the municipal electors for the nomination of councillors is held at the town hall and is opened at eight o'clock in the morning of the day fixed therefor.

Hour and place of meetings for nominations.

**13.** The municipal elections shall be by ballot, and, for that purpose, articles 4243 to 4264, inclusively, of the general act are replaced, for the town, by the following :

Municipal elections to be by ballot and R. S. 4243 to 4264, replaced for town.

The articles of the Quebec Election Act, 1895, from article 127 to article 197, inclusively, and from article 222 inclusively, to article 250 inclusively, and from article 252 inclusively, to article 288 inclusively, and also all the forms connected therewith, as well as articles 310 to 330, inclusively, of the same act, concerning corrupt practices during elections and the punishment thereof, and the offences and other matters there-

Quebec Election Act, 1895, to govern, with certain exceptions.

in mentioned, shall apply, *mutatis mutandis*, to the municipal elections of the town of St. Lambert so far as respects the election of councillors, in default of a provision on the matter in its charter ; but the hours for opening and closing the polls shall be as hereafter provided.

Definition of terms when applicable to municipal elections.

In the application of the said articles to the elections to be held under this act, the words "returning-officer" in each of such articles shall mean the presiding officer, and the words "deputy returning-officer" shall mean the deputy presiding officer, or other person having charge of any poll, and the words "clerk of the Crown in chancery" shall mean the secretary-treasurer of the town.

Sec.-treas. presides at elections, &c.

**14.** The secretary-treasurer of the council presides *ex-officio* at the election of mayor and councillors.

The presiding officer in all cases appoints an election clerk to assist him in the execution of his duties relative to the elections.

Who acts in lieu of presiding officer.

In the event of the secretary-treasurer being absent or unable to act, the election clerk, under the same penalties, shall discharge all his duties.

R. S. 4243, replaced for town.

**15.** Article 4243 of the general act is replaced, for the town, by the following :

Opening of polls, &c., registering of votes.

At the time specified, the poll is opened by the secretary-treasurer or his clerk, as above provided, who enters or causes to be entered in a book to be kept, in accordance with the conditions hereinafter prescribed, the votes of the electors, entering therein the names and additions of each of them.

Time for opening and closing poll. Certificate of election.

The poll is opened at eight o'clock in the morning, and closed at nine o'clock in the afternoon of the same day.

Within three days after the close of the election, the presiding officer gives to each of the candidates elected a written notice of his election.

Election to replace vacancies in office of mayor or councillor.

When a vacancy occurs in the office of mayor or councillor, the election of a substitute is forthwith proceeded with on the day fixed by the council, and such election is held in the manner prescribed for general elections.

#### SPECIAL POWERS OF COUNCIL

Council may pass by-laws to :

**16.** The municipal council of the town shall have power, by by-law:

Restrain, &c., sale and manufacture of spirituous liquors, &c.;

1. To restrain and regulate the sale and manufacture of any malt, spirituous, vinous, alcoholic, or intoxicating liquors within the limits of the town, and to fix a sum, not more than two hundred dollars, for the granting of each certificate to obtain a license authorizing the sale of the same in the town ; in this matter the decision of the municipal

council shall be without effect until confirmed by a vote of the municipal electors taken by ballot in the manner above provided regarding municipal elections at the time of the election of mayor, the whole, however, subject to the by-law No. 6, passed by the municipal council on the eighth day of September, 1896 ;

2. To restrain, regulate, or prohibit any person from maintaining, using or keeping a slaughter-house in the town ;

Restrain, &c.,  
using, &c.,  
slaughter-  
houses ;

3. To abate any public nuisance therein, endangering lives, health or safety of the public ;

Abate public  
nuisances ;

4. To cause the arrest on view and punishment of all persons in the said town disturbing the public peace, loitering in the streets, using profane, obscene or insulting language therein, or of any person or persons therein incommoding peaceable passengers, and all drunken persons, and any person or persons breaking any by-law of the town, respecting the public order, peace or health thereof ;

Cause arrest  
on view of per-  
sons disturb-  
ing the public  
peace, &c. ;

5. To regulate the width of streets, in accordance with the general laws of the Province, and to establish or alter the level or grade of any roadway or sidewalk in any street ;

Regulate  
width of  
streets, &c. ;

6. To fix and determine building lines on streets, roads and avenues, and to regulate the mode to be followed and the material to be used in the erection or repair of buildings, with a view to security against fire and the safety of the occupants, with power to hold the proprietor, builder, or person in possession of said building responsible for any contravention of said by-laws ;

Fix, &c., lines  
of streets, &c. ;

7. To close any street or section of a street or public square and sell the land for the benefit of the town, provided always, if any person suffer damage thereby, he receive compensation to be settled by arbitration ;

Close streets,  
&c. ;

8. To have the streets and sidewalks swept, watered and kept in good order ; and to have the snow removed therefrom at the expense of the corporation ;

Have streets,  
&c., watered,  
&c. ;

9. To cause dogs to be kept muzzled or tied up ; to prevent them from being at large or without their masters or other persons to take charge of them ; to impose a tax not exceeding three dollars on the owners of every dog kept in the town ; to order that each such dog shall carry round its neck a medal indicating the number and the year for which the tax has been paid, and to authorize any municipal officer or other person to destroy, by poison or otherwise, all dogs found at large, contrary to municipal regulations ;

Cause dogs to  
be muzzled,  
&c. ;

10. To impose a special tax upon resident carters doing business in the town, upon proprietors of horses and vehicles for each horse and vehicle ; upon brokers, money lenders or commission merchants ; upon pawn-brokers and auctioneers ; upon clubs ; upon proprietors or occupants of houses of public entertainment, hotels, saloons, inns, coffee-houses,

Impose a spe-  
cial tax upon  
resident cart-  
ers, &c. ;

restaurants, temperance hotels ; upon all dealers in spirituous liquors ; upon all pedlars, selling or offering for sale in the town articles of commerce of any kind whatsoever ; upon all proprietors, possessors, agents, managers or occupants of theatres, circuses, menageries, and minstrels ; upon all public places of amusement kept open for profit ; upon billiard tables, mississippi or pigeon-hole tables, bowling alleys and other similar games ; upon all livery-stable keepers ; upon all grocers, bakers, butchers, hawkers, hucksters, brewers and distillers ; upon all traders and manufacturers and their agents ; upon all proprietors and keepers of wood-yards, coal-yards and slaughter-houses in the town ; upon all building societies ; upon all insurance companies and their agents and employees, whether they reside in the town or not ; upon all gas, telegraph or telephone companies doing business in the town, and, generally, on all commerce, manufactures, callings, arts, trades and professions which have been or may be introduced or exercised in the town.

Amount of  
tax how fixed ;

The amount of such annual dues or taxes shall be fixed and determined by one or more by-laws of the town and shall be fixed and determined by the council at its discretion, either, in certain cases, by a specified sum, or, in other cases, by a percentage upon the annual value of the property and premises occupied by the said parties in the town, and in or upon which they do business or carry on or exercise such trade, manufacture, occupation, business, art, profession or means of livelihood or profit, provided that in no case shall any of such amounts exceed two hundred dollars per annum, and provided there is nothing inconsistent with any public statute ;

Tax payable  
annually ;

11. Every tax or assessment, imposed by virtue of the foregoing provisions, shall be payable annually and at the time fixed by such by-laws ;

Grant aid to  
lines of steam-  
boats, &c. ;

12. To grant aid to any line of steamboats, omnibuses, tramways, sleighs or other conveyances for the purpose of affording cheap and rapid communication between the town and the city of Montreal ;

Sanction lay-  
ing of railway  
tracks by  
street rail-  
way, &c.

13. To sanction and permit, under such conditions and restrictions as the council may impose, a track of any street railway to be laid on any of the streets in the town ; but in the case of this and the paragraph immediately preceding, the decision of the council shall be without effect until confirmed by a vote of the municipal electors taken by ballot in the manner above provided regarding municipal elections ;

Confirmation  
of by-law re-  
quired ;

Regulate  
number of pas-  
sengers ;  
Use of loco-  
motive en-  
gines, &c. ;

14. To regulate the number of passengers to be carried in each car or vehicle used by such street railway ;

15. To regulate the use of locomotive engines or any other steam or motive power on any street railway in the town ;

16. To prescribe and regulate the speed of the cars and to impose penalties, not to exceed four hundred dollars, upon the company managing any such railway, or on any of their servants, for each and every violation of any such by-law ;

Speed of cars,  
&c. ;

17. To annex to the town any portion of immoveable property situated in any adjacent municipality or parish, provided that the council of any such municipality or parish, and proprietor of said portion of immoveable property consent to such annexation, on such terms as may be mutually agreed upon between the council of the said town and the councils of the said adjacent municipalities or parishes or parts thereof ;

Annex adjacent immoveables with consent of neighbouring municipality, &c. ;

18. To cause trees to be planted along the municipal or other roads, or along the sidewalks or public places at the expense of the corporation ;

Cause trees, &c., to be planted ;

19. To determine the direction of natural water courses passing through private property, and to regulate all matters concerning the same, whether covered or not ;

Determine direction of water courses, &c. ;

20. To license, control and regulate the collection and storage of rags and other waste material ;

License, &c., collection of rags ;

21. To license and regulate plumbing and regulate the inspection thereof.

Plumbing ; Cruelty to animals, &c.

22. To prevent horses or other animals from being cruelly treated, and to prevent the destruction or capture of birds ;

23. To establish and maintain or aid in the establishment and maintenance of free public libraries, library associations and mechanics' institutes, in the municipality or adjoining municipalities, in the manner required by article 4616 b of the general act ; but in this case the decisions of the council shall be without effect until confirmed by a vote of the municipal electors taken by ballot in the manner above provided regarding municipal elections ;

Establish free public libraries, &c.

24. To prevent dealers in oils, fluids, hay, straw and all other inflammable substances from carrying on their business without the authority of the council, and prevent the storage in any building of any such inflammable substance, in contravention of the by-laws ;

Prevent dealers in oils, &c. from carrying in business without consent of council.

25. To compel every person desirous of keeping a wood- or coal-yard in the town, to previously obtain a license or permit from the council, determine under what conditions such licenses or permits shall be granted, for the prevention of fire or for any other reason ; and to determine how such yard shall be kept and fenced in, and to what height wood may be piled, both by the owners of wood-yards and by any other proprietor in the town ;

Compel persons desirous of keeping wood-yards, &c., to procure a license ;

26. To prevent and regulate the sale of wood and coal, except in certain places or yards licensed or authorized by the council, and to provide for the measurement and weighing of wood and coal ;

Prevent, &c., sale of wood, &c. ;

27. To determine the height of chimneys and order spark-arresters to be placed thereon ;

Determine height of chimneys, &c. ;

Prevent discharge of fire arms, &c. ;

28. To prevent the discharge of firearms or firecrackers on Sundays and holidays, and at any other time, if the council think proper ;

Compel closing of stores, &c., on Sundays ;

29. To compel all merchants and traders, barbers and keepers of gaming-houses or places of amusement to close their establishments on Sundays and holidays ;

Regulate width of wagon-tires, &c.

30. To regulate the width of wheel-tires of waggons or drays carrying heavy loads, and to prohibit the use of such vehicles in such streets or parts of streets as the council may see fit ;

Prevent obstructing streets with snow ;

31. To prevent the obstruction of streets or sidewalks with snow taken from the roads or lands belonging to railway companies ;

Regulate awnings ; Order removal of flags, &c. ;

32. To regulate the manner in which awnings shall be put up, and to compel the owners to remove them ;

Prohibit transport of houses, &c., through streets

33. To order the removal of all flags, signs or other objects used as such, encroaching on the public streets ;

34. To prohibit the transport or removal, through the town, of any house or building, without a special permit from the council, and on payment of such compensation as the council may exact, and subject to such stipulations respecting damages incurred which may be made ;

Order that no excavations on streets be made without permission ;

35. To order that no person, firm or company shall, at any time, or for any purpose, cause excavations, openings or other works to be made, or done in the streets of the town, without previously obtaining permission in writing from the council in the form specified by the council, for which it may charge such fee as it may decide upon, but without prejudice to the rights which any company may exercise under existing charters ;

Order placing of telegraph poles, &c. ;

36. To order and regulate the placing of telegraph, telephone, electric light and other such posts in the streets of the town and the laying of wires or other appliances ; to impose a penalty on the owners thereof for every contravention of the municipal orders and by-laws, when ten days have elapsed from the time when written notice was given of such contravention ; to order, if necessary to prevent the streets being obstructed, that the wires be laid under ground, but at places selected by the council, without prejudice to the rights which any company may exercise under existing charters ;

Prevent sale of goods, &c., on streets ; Prevent persons from selling fish, &c. elsewhere than on markets ;

37. To prevent the sale of any goods, wares or merchandise on the streets or public places of the town ;

38. To prevent persons bringing into the town articles, such as fresh fish, meat, fruits and vegetables, from selling or exposing them for sale, in any place other than the markets of the town, and to regulate the sale of similar articles by any person whomsoever ;

Regulate inspection, &c., of bread, &c. ;

39. To regulate the inspection, manufacture and sale of bread in the town and the weight and quality thereof, and to prohibit the sale of any bread that is not made according to hygienic principles ;

40. To compel persons owning or using stationary steam-engines, steam boilers, factories, chemical works, or other workshops or establishments, to provide the same with necessary apparatus to consume the smoke and gas escaping therefrom, so as to effectually remove and abate any nuisance arising from the working of such establishment ;

Compel persons owning, &c., steam engines, to furnish them with smoke consumers, &c. ;

41. To prohibit the erection or establishment of all hospitals for contagious diseases in the town without the consent of the council ;

Prohibit erection, &c., of hospitals for contagious diseases, &c. ;

42. To appoint a competent person to inspect meat and milk sold or offered for sale in the town, and to confer upon him the power of confiscating all meat and milk of bad quality, or which is unwholesome or injurious to the public health ;

Appoint &c., milk inspector, &c. ;

43. To impose a fine, and imprisonment in default of payment of the fine and costs, upon any person selling or offering for sale in the town, any meat or milk of bad quality, unwholesome, and injurious to health, contrary to the by-laws.

Impose a fine &c., upon person selling bad meat, &c.

17. When a proprietor cedes gratuitously to the town any land for a street traversing his property, the remainder of the property fronting on the new street may be, by resolution of the council, exempted, in whole or in part, from the apportionment necessitated by the opening of such street ; provided that the part so exempted has a depth of not more than one hundred and fifty feet.

When property gratuitously ceded for street, remainder may be freed from taxes for opening street.

18. The council shall have power to cause such of the streets, avenues and highways in the town, or any part thereof, which shall not have been heretofore recorded or sufficiently described by *procès-verbal* or otherwise, and shall have been opened for public use for ten years, to be ascertained, described and entered of record in a book to be kept for that purpose by the secretary-treasurer of the town ; and the said streets, avenues and highways, when so entered of record, shall be public streets, avenues and highways, and the record thereof shall, in all cases, be held and taken as evidence of their being such public streets, avenues and highways.

Council may have description, &c., of streets recorded by secretary-treasurer.

19. If any road or avenue, not the property of the town, but opened to and used by the public, should be in need of repairs, the council shall have the right to compel the owner or owners of the said road or avenue to make such repairs ; and, if such repairs are not made within the delay fixed by the council, the council shall have the right to make such repairs and charge the cost thereof to, and recover the same from such owner or owners.

Council may compel owners of private roads used by the public to repair same, &c.

20. The town may, with the permission of the Lieutenant-Governor in Council, obtained on petition to him ad-

Streets may be less than sixty-six feet



wide with  
consent of  
Lieutenant-  
Governor.

dressed, in special and exceptional cases, order that the width of roads and streets in the town be less than sixty-six feet.

Permit re-  
quired to cut  
ice on river,  
&c.

**21.** No person shall cut and take ice on the river opposite the town unless he has previously obtained a written permission from the inspector and the authorization of the council, and such person shall, in such case, surround the place where he cuts ice, so as to prevent all danger; if he neglect so to do, the inspector may cause the necessary work to be done at the expense of the person in default, who may further be condemned for each offence to a fine not exceeding twenty dollars and costs, and in default of payment of the fine and costs, to an imprisonment not exceeding one month.

Charge for  
permit.

The corporation shall have the right to charge a sum not exceeding ten dollars for every permit so granted.

#### LOANS

R. S., 4529,  
replaced for  
town.

By-law re-  
quired for  
town loans and  
approval re-  
quired.

**22.** Article 4529 of the general act is replaced, for the town, by the following :

Town loans, whether by the issue of debentures or otherwise, shall only be made on a by-law of the council to that effect, approved by a majority in number of the proprietors, who are municipal electors, who, at the time fixed, actually cast their votes for or against such by-law; but, if one hour shall elapse after the opening of the meeting held for the approval or disapproval of the said by-law, without a demand for a vote, the by-law respecting such loans shall be deemed as approved; but should a vote be taken, it shall be necessary that at least one-third of the total proprietors who are eligible to vote shall actually cast their votes for such by-law.

R. S., 4530,  
replaced for  
town.

When interest  
and sinking  
fund on loans  
absorb half  
revenue, no  
further loan  
to be con-  
tracted with-  
out special per-  
mission of  
Lieutenant-  
Governor in  
Council.

**23.** Article 4530 of the general act is replaced, for the town, by the following :

When the interest and the sinking fund of the sums borrowed by the corporation shall absorb half the revenue of the town, the council shall not, in any case, contract a new loan without having been specially authorized thereto by the Lieutenant-Governor in Council, and, moreover, without having obtained the approval of the majority in number of the proprietors who are municipal electors, and who, at the time fixed, actually cast their votes for or against such by-law; but, if one hour shall elapse after the opening of the meeting held for the approval or disapproval of the said by-law, without a demand for a vote, the by-law respecting such loans shall be deemed as approved; but should a vote be taken, it shall be necessary that at least one-third of the total

proprietors who are qualified to vote shall actually cast their votes for such by-law.

Any by-law authorizing a loan by virtue of this article shall levy a special annual tax, which shall be sufficient for the payment of the interest for each year, and of one per cent. per annum, at least, as sinking fund, until the debt be extinguished. Special tax to be levied therefor.

In the event of a vote of the municipal electors being required to be taken in regard to loans, such vote shall be taken by ballot in the manner above provided regarding municipal elections. How vote to be taken.

**24.** Article 4533 of the general act is replaced, for the town, by the following : R. S., 4533, replaced for town.

The poll is held and presided over by the mayor, with the assistance of the secretary-treasurer. It is held for one juridical day from eight o'clock in the forenoon to nine o'clock in the afternoon. Mayor to preside, &c. Poll held for one day, &c.

**25.** Notwithstanding the provisions of any article of the general act, tutors, administrators, curators, institutes under substitutions, married women, and trustees, who are seized, possessed or interested in any real estate in the town, shall have the right to vote on any by-law of the council authorizing the contracting of any loan to pay for improvements made in the town. Tutors, &c., to have right to vote on by-law authorizing loan, &c.

**26.** Article 4536 of the general act is replaced, for the town, by the following : R. S., 4536, replaced for town.

At the close of the poll, the mayor shall count the "yeas" and the "nays", and within the four days following he shall lay before the council the result of the voting, together with a statement showing the total number of proprietors who are qualified to vote and the number who have actually voted for or against such loan. Counting of votes by mayor.

A certificate shall also be given under the hand of the mayor, for the information of the council, showing whether the majority in number who have voted have approved or not approved of such by-law. Certificate as to whether majority has approved, &c.

If no poll or vote have been demanded, a certificate to that effect shall be given under the hand of the mayor and secretary-treasurer. Certificate if no poll asked for.

If the council desire to examine the poll-books, they shall be forthwith laid before it. Examination of poll-books.

In the case of an equal division of votes the mayor shall give his casting vote. Casting vote of mayor.

#### SPECIAL IMPROVEMENTS

**27.** The council may, from time to time, make, amend and repeal by-laws to raise, by special assessment or other- Council may by special assessment raise

money to open  
&c., streets,  
&c.

wise, money sufficient to acquire, open, widen, prolong, alter, macadamize, grade, level or otherwise make, pave or permanently repair any boulevard, street, road, avenue, lane or alley, public way or place, or any section or sections thereof, in the town, and to acquire and lay water-pipes therein and construct hydrants thereon as may be necessary to supply the inhabitants with water and as a protection against fire ; to make, enlarge, prolong or permanently repair any common sewer or drain therein ; to construct or permanently repair such bridge or bridges therein as may be necessary ; to fence in such boulevards, streets, roads, avenues, lanes, alleys, public ways or places, or any section or sections thereof, and to make, carry out and complete such work or works, or any or all of them, provided that such by-law be approved by a majority of the whole council.

Approval of  
by-law by mu-  
nicipal elec-  
tors who are  
proprietors,  
&c.

Every by-law, whether for the above or any other purpose, involving an estimated expense of over one thousand dollars, must be approved by the majority in number of the proprietors subject to be assessed for such improvement, and who, at the time fixed, actually cast their votes for or against any such by-law, and such votes shall be taken by ballot and in the manner and subject to the procedure for the approval of loans ; and all corporations and estates owning land subject to said assessment, shall have the right to vote for or against such by-laws by and through their duly authorized agent or attorney.

Notice of by-  
law involving  
expense of  
certain sum to  
be published.  
in newspa-  
pers, &c.

**28.** A notice, stating in general terms the purpose of such by-law, when it involves an estimated expense exceeding one thousand dollars, shall be inserted for a period of at least six days, before the passing thereof, in one French and one English daily newspaper published in the city of Montreal, or in the town of St Lambert.

Council may  
acquire &c.,  
water-pipes,  
&c.

**29.** The council may acquire and lay, or cause to be made or laid, all such water-pipes, hydrants, drains and sewers, and do or cause to be done all such works as may be necessary to that end.

Council may  
declare that  
part of ex-  
pense is to be  
borne by pro-  
prietors in-  
terested.

**30.** The council, by a resolution passed by a majority of the whole council, may declare that a proportion or percentage of the cost of such improvements, or any or all of them shall be borne and paid for by the properties situated and fronting on the said boulevards, streets, roads, avenues, lanes, alleys, public ways or places, or any section or sections thereof, and, in that event, the secretary-treasurer shall give special notice, addressed by registered letter through the post office, to each person in whose name any of such fronting properties were last assessed, to his actual or last known domicile, and in such notice indicate the nature of the improvement

Special notice.

and the amount or percentage of the cost thereof to be assessed on the fronting properties, within ten days from the passing of such resolution.

**31.** In the event of a petition objecting to the whole or such portion or percentage of the cost being assessed on such fronting properties being presented to the council within thirty days of the passing of such resolution, signed by the majority of the proprietors, tutors, administrators, guardians, curators, institutes under substitution, married women, trustees and the like, assessed for, possessed of, interested in, or owning such fronting properties on any of the said boulevards, streets, roads, avenues, lanes, alleys, public ways or places, or any section thereof, then the amount or percentage of the cost of any such improvements to be borne and assessed by such fronting properties shall be determined by arbitration; the arbitrators to be appointed in the manner and according to the procedure prescribed for expropriations, so far as can be made applicable, save and except that the petitioners shall be bound to name and appoint, in and by their petition, one arbitrator to act on their joint behalf in the said arbitration.

If objection is made, arbitration to be had.

How arbitrators to be appointed.

**32.** The award of the arbitrators, or a majority of them, shall be final and not subject to appeal, and shall form the basis of the assessment to be levied on such fronting properties.

Award of arbitrators final &c.

**33.** If the whole or a proportion or percentage to be assessed on the fronting properties is not diminished by the award of the arbitrators, the costs of the arbitration shall be assessed on the fronting properties, otherwise the costs of the arbitration shall form part of the cost of such improvements.

Costs of arbitration how levied.

**34.** Pending the decision of the arbitrators the council may proceed with the said improvements or any of them.

Council may proceed pending arbitration.

**35.** The balance or remainder of the cost of all or any of such improvements, over and above the proportion to be borne, as aforesaid, by the fronting proprietors, shall be borne by the whole town.

Balance of cost how levied.

**36.** The council may determine the mode, method and manner in which the said improvements, or any of them, are to be made and carried out, and the manner of laying, levying and collecting such special assessment, making the award of the arbitrators the basis of assessing the fronting properties, in the event of their proportion of the cost of any such improvements being diminished as aforesaid.

Council to determine how improvements to be carried on.

**37.** Such assessment shall be made, levied and collected at such times as may be ordered by the council, and it may

How assessments shall be levied, &c. &c.

order that the cost incurred in making any such improvements, be levied and collected at once or by instalments during a certain number of years.

Interest on deferred payments.

**38.** Such assessment, if the total cost of the improvements be spread over a certain number of years, may include interest on future payments.

Special roll of assessment to be made by secretary-treasurer.

**39.** The secretary-treasurer, as soon as the accounts of the cost of making and carrying out the improvements and all expenses connected therewith shall have been sent in and approved by the council, shall, within a delay to be fixed by the council, make a special roll for the assessment and apportionment of the cost of such improvements.

Notice to be given in newspapers of time when roll to be submitted to council for homologation.

**40.** When the special assessment roll shall have been made, the secretary-treasurer shall give public notice in one English and one French daily newspaper in the city of Montreal or town of St. Lambert, to be inserted for a period of at least three days, stating the date and hour when such special assessment roll shall be submitted to the council for homologation.

Council to hear parties, &c., homologate roll, &c.

**41.** The council shall, on the date fixed, hear all parties interested and may adjourn its meetings from time to time when necessary, and, after examination of any complaints or objections that may be made, may maintain, modify and amend, in its discretion, such assessment roll, but without interfering with the basis of assessment on fronting properties when determined by arbitrators as aforesaid; the council may homologate the said roll with or without amendments, as the case may be, and such roll shall then be final and not subject to appeal.

Subsequent assessment, if first insufficient, &c.

**42.** In case the first assessment prove insufficient, the council may make or cause to be made a second in the same manner, and so on until sufficient money be realized to pay for such improvements or works.

When assessment due and how collected.

**43.** Such assessment shall be due, exigible, and collectable from proprietors in such proportional amounts or instalments as may be fixed by the council, and shall be payable at such times as may be ordered by the council, and the secretary-treasurer, when so ordered, shall collect the instalments or amounts from the proprietors in the manner in which municipal taxes are collected.

Assessment to be privileged without registration, &c.

**44.** The said assessment shall be a privileged debt exempt from the formality of registration, and shall bear interest at six per cent. per annum from the date on which it becomes due; discounts for prepayments may be allowed.

**45.** The council shall have power to purchase, acquire, take and enter into any land, ground or real property whatever within the limits of the town, necessary for the purpose of the improvements, or for any purposes whatever provided for by this act, or for forming or making any public park or square, either by amicable arrangements entered into between the corporation and the proprietors or other persons interested, or by adopting the provisions and complying with the formalities respecting expropriations herein mentioned, and, in the event of its being necessary or advisable, for the purpose of such improvements, to acquire any larger tract of land than may be ultimately required for the purpose of such improvements.

Council may acquire, &c. land, &c., for improvements, &c.

**46.** The council may sell any portion of the land so acquired and not ultimately required for such purpose, and shall apply the proceeds thereof in part payment for such improvements, and, if a special assessment be levied for the same, the balance of such cost shall alone be assessed for.

Council may sell land not required, &c.

**47.** All the provisions of this act shall apply to existing streets, roads, avenues, lanes or alleys, public ways or places, or any section thereof, in the town, and also to all streets, roads, avenues, boulevards, lanes or alleys, public ways or places, or any section thereof, that may hereafter be opened by the corporation or laid out and determined on any plan of the municipality that may hereafter be confirmed and homologated by the Superior Court.

Act to apply to existing roads, &c.

**48.** The powers conferred on the corporation respecting loans shall apply to all the purposes mentioned in this act, and the corporation may, from time to time, contract such loan or loans as may be necessary to pay for the improvements made and carried out under the provisions of this act; but every law, authorizing any loan as aforesaid, shall provide, from and out of the revenues of the corporation, an annual tax sufficient for the payment of interest in each year, and one per cent. per annum at least of a sinking fund until the debt be extinguished.

Powers respecting loans to apply to all purposes mentioned in act.

Proviso as to payment of interest and sinking fund.

**49.** No part of the proceeds of any such loan or loans shall be expended for the purpose of such improvements, unless such expenditure shall be authorized by a majority vote of the whole council.

Proceeds of loan to be applied to such improvements.

**50.** The council may acquire and purchase any land for the use, and required in the interests of the town, either within or without the limits of the municipality, and may provide for the lease, purchase or erection of any building that the town may require.

Council may acquire land within and without town limits, &c.

Council may contribute out of revenues or borrow money for improvements.

**51.** The council may contribute to the cost of any improvements ordered by it out of the revenues of the corporation, or it may borrow moneys required to pay for such share of any such improvements by complying with the formalities and procedure prescribed respecting loans.

Council may pay out of general funds expense that would fall on exempted property, &c.

**52.** In case of a special assesment for any improvement, the council, if it think fit, may by by-law or resolution, provide for constructing, at the expense of the general funds of the municipality, any part of the said improvements which may be situate upon or in that part of any street, lane, alley, public place or square intersected by any other street, lane, alley, public place or square, or which would otherwise fall on property exempt from assessment.

Council may provide an equitable manner of assessment of triangular lots, &c.

**53.** The council of the town may, by by-law or resolution, provide an equitable mode of assessment for any improvements ordered or to be ordered for works and services on corner lots, triangular or other irregular shaped pieces of land situate at the intersection or junctions of streets, roads and squares, having due regard to the situation, value and superficial area of such lots as compared with adjoining lots and pieces of land assessable for such works, improvements and services, and may charge the amount of any allowance made on any such lot or piece of land on the other real property fronting on the improvements, or assume the same as a portion of the corporation or town share of the work or improvements, or otherwise, as the council may determine.

#### SEWERS

Council may pass by-laws to :  
Regulate sewerage ;

**54.** The council shall have power also by by-law :  
To regulate the sewerage of the town, and to assess proprietors of immoveable property to defray the cost of making any sewer in any street within the limits of the town.

Regulate manner of raising assessments therefor ;

**55.** To regulate the mode in which such assesments shall be made, either by a frontage tax or by a general assessment upon all the taxable property of the town, and the manner of levying such assessments.

Regulate when private drains may be made, &c. ;

**56.** To regulate the time when private drains may be made, and also the manner and material with which the same may be constructed, the corporation making the same from the line of the street to the common sewer, at the expense of the corporation.

Acquire, &c., discharge drains, &c. ;

**57.** To acquire and construct all such discharge drains and sewers, from the limits of the town to the place or places of connection in other municipalities, or to the river

Saint Lawrence, as may be necessary to secure to the town sufficient means of drainage and sewerage; and the cost thereof, or any compensation to be paid as aforesaid therefor, shall be ascertained, laid and collected within the town in such manner as may be determined by the council, and the council may regulate the mode in which such assessments shall be made and the manner of levying the same.

**58.** To compel or regulate the filling up, draining, clearing, altering, relaying or repairing of any grounds, yards, vacant lots, cellars, private drains, sinks, cesspools and privies, and to assess the owners or occupants of such grounds or yards or of the real estate on which the cellars, private drains, sinks, cesspools and privies are situated, with the cost thereof, if done by the council on their default.

Compel, &c., filling up of grounds, yards, &c.  
Assess for amount if done by council.

The amounts so expended shall constitute a lien on the said lot or lots, and shall be recoverable in the same manner as a special tax thereon.

Amounts expended to be lien on lots;

**59.** To make any other regulations for sewerage or drainage that may be necessary for sanitary purposes.

Make other regulations respecting sewerage.

#### REMEDIES FOR INFORMALITIES

**60.** In case there should, at the passing of this act or thereafter, exist any clerical error, omission or informality in any proceedings in expropriation or in the making out of any reports of arbitrators or commissioners, or of any roll of assessments prepared in respect of the cost of any improvements, whether such error, omission or informality be committed by the arbitrators or commissioners, or any of them, or by those who are by law entrusted with such proceedings, the Superior Court or any judge thereof may, upon petition to that effect, permit, in its discretion, the rectification of such error, omission or informality, upon such conditions as to costs as the court or judge may order.

Rectification of clerical and other errors in expropriation proceedings, &c., upon petition to Superior Court or judge.

**61.** When any roll of assessment or report made by arbitrators or commissioners, to defray the cost of any improvement is annulled by competent authority, the town may cause a new report to be made by arbitrators or commissioners appointed as by this act provided; and all the provisions of the law, with respect to the making of any such assessment or report, and all matters incidental thereto, shall apply to such assessment or report; provided always, that proceedings for the making of any new assessment, report or apportionment, shall be commenced within six months from the date of the annulment of the previous report or roll.

New report, &c., to be made if old one annulled, &c.

**62.** If any special assessment roll be annulled by competent authority, the secretary-treasurer shall make another

New assessment roll to be made if old one annulled.



special assessment roll for the same purpose in the manner by law provided, and the same, when completed according to the formalities prescribed, shall have full force and effect.

Rights of ac-  
quirer, if as-  
sessment roll  
having been  
annulled a  
new one is  
made.

**63.** If, for the purpose of any improvement, any immoveable property is charged with any special assessment by any report or special assessment roll which is subsequently annulled by competent authority, and a new report and special assessment roll is made for the recovery of such special assessment, and if any change has taken place in the ownership of such property between the date of the first report and the date of the completion of the new special assessment roll, the new proprietor of such immoveable property, upon payment or demand of the amount thereof, shall have the same right in warranty against his vendor, in respect of such demand or payment, as if such property had become charged with a valid hypothec for such amount at the date of the homologation of the first mentioned special assessment roll.

Payments  
made under  
assessment  
roll annulled  
to avail as if  
made under  
new roll.

**64.** Whenever a report of arbitrators or commissioners, or special roll of assessment, for any street or other improvement, shall be annulled or set aside, the payments made under the authority of the same shall not be thereby invalidated; but such payments, with interest added, shall go to the discharge of the respective amounts fixed by the new report and assessment roll, subject, on the part of the ratepayer, to make good any deficiency or to receive back any surplus according to the difference that may eventually exist between the old and the new reports and assessment rolls.

Application of  
section.

The present provisions shall apply as well to reports and special assessment rolls heretofore made as to those which may hereafter be made.

#### VALUATION ROLL

Annual valua-  
tion roll to be  
made.

**65.** The valuator shall annually make, at the time and in the manner ordered by the council, the valuation of the taxable property of the municipality according to the real value.

Annual or  
rental value  
to be entered.

They also make the valuation of the annual value or rental of such property and enter it in the roll in a separate column.

Names of  
tenants to be  
entered.

They also enter in the roll the names of tenants and the amount of annual rent paid by each.

How valua-  
tors proceed  
in valuing  
property.

The valuator shall, annually, when making the valuation roll, make a valuation of the taxable immoveable property, irrespective of the buildings thereon erected, and enter the same in a separate column; and such valuation shall be the basis on which any special tax ordered to be levied on such valuation shall be made.

## EXPROPRIATION FOR MUNICIPAL PURPOSES

**66.** In matters of expropriation, if the council and the party expropriated cannot agree, or if the proprietor be a minor or be not in the enjoyment of his civil rights, the question shall be decided as follows:

In expropriations, if parties do not agree proceedings to be as follows:

A notice shall be served by the town or its attorney upon the party to be expropriated containing:

Notice to be sent and what to contain.

(a) A description of the land to be taken;

(b) A declaration that the town offers to pay a certain sum, which is therein mentioned, as an indemnity and compensation;

(c) The name of the arbitrator for the town, in case the offer be not accepted.

This notice must be accompanied by a certificate of a sworn surveyor, not interested in the matter and not being the arbitrator named in the notice, establishing that the expropriation of the land is necessary, that he knows the land claimed and the damages which might result from the expropriation, and that, in his opinion, the sum offered is a sufficient indemnity.

Certificate to accompany notice.

**67.** If, within five days after the service upon him of such notice, the person expropriated does not notify the town that its offers are accepted, or does not give the name of his arbitrator when signifying his refusal, a judge of the Superior Court, upon being petitioned so to do, names the sole arbitrator to determine the amount of the indemnity.

If party does not name arbitrator within certain time judge appoints sole arbitrator.

**68.** If the person expropriated has, within the prescribed delays, given the name of his arbitrator and the amount of indemnity which he claims, either party may petition a judge of the Superior Court to name a third arbitrator.

Nomination of third arbitrator on application to judge.

**69.** This petition shall be in writing, and five days' notice of the same shall be given to the opposite party.

Petition to be in writing, notice therefor.

After the expiration of such delay of five days, a judge of the Superior Court, upon proof that the above prescribed formalities have been fulfilled, names such third arbitrator, who, with the two already named, proceeds to the arbitration.

Appointment by judge.

**70.** Before proceeding, the arbitrators shall be sworn before a justice of the peace for the district of Montreal or before the secretary-treasurer of the council to impartially perform the duties of their office.

Arbitrators to be sworn.

**71.** At their first meeting, the arbitrators or sole arbitrator may name a secretary, whose duties shall be to keep a record of the minutes of all the proceedings which shall be signed by the arbitrators at the end of each sitting or at the following sitting.

Appointment of secretary by arbitrators.

**Emoluments of secretary.** **72.** The emoluments of such secretary are fixed by the arbitrators and shall form part of the costs of the arbitration.

**Power of arbitrators, &c., to hear parties, &c.,** **73.** The arbitrators, in the course of the proceedings, or a majority of them, or the sole arbitrator, may hear the parties, if they deem it necessary, and they shall proceed to the examination of the premises with the object of determining the amount of the indemnity to be awarded.

**Notice by arbitrators and proceedings by them.** **74.** The arbitrators shall proceed at the time and place appointed by them, of which they shall have given a special notice of at least five days to the parties interested.

**Service of notice.** **75.** The said special notice shall be served in the manner provided for the service of special notices.

**Award of arbitrators.** **76.** The arbitrators, after having examined and valued the land and heard the parties, shall give their award by means of a certificate, signed by them or by a majority of them, which they deposit in the office of the council; such award is final and without appeal.

**Defects of form not to annul award, &c.** **77.** No defect of form shall annul the award of the arbitrators, if all the requirements of the law have been fulfilled, and if the award determines clearly and concisely the amount awarded, and the lands, rights, buildings and other things for which such an amount is an indemnity.

It is not necessary that the person to whom the amount should be paid be named in the award.

**Decision of arbitrators as to payment of costs.** **78.** The arbitrators may decide which party shall pay the costs or a proportion of the costs of the arbitration and also the amount of remuneration each arbitrator shall receive, which remuneration shall not exceed ten dollars per day.

**Town takes possession of property upon payment, &c., tender of award.** **79.** By the payment, or legal tender followed by deposit in the court, of the amount of indemnity awarded to the party entitled to it, the award gives to the town authority to take immediate possession of the property and to exercise the rights or effect the purposes for which the indemnity was granted.

**Warrant, if resistance offered.** **80.** If resistance or opposition be offered to the taking possession of the property or to the exercise of such rights, the judge may, upon sufficient proof of the award of the arbitrators, issue his warrant, addressed to the sheriff of the district or to a bailiff, as he may think proper, to put the town in possession, and to put an end to all resistance or opposition.

**81.** The judge shall grant such warrant only after a notice of the time and place when the application for the same shall be presented to him has been served five days previously upon the proprietor of the property, or upon the person having the right to pass a deed transferring such expropriated property, or having an interest therein.

Notice to be given of application for warrant.

**82.** If the town have reason to fear hypothecary claims or troubles, or if the proprietor be a minor, it shall be lawful for it to deposit in the hands of the prothonotary of the district of Montreal, the indemnity and six months' interest thereon, together with a copy of the award.

Deposit of award and interest for six months if town fear hypothecary claims, &c.

**83.** The award is then considered a title to the properties mentioned in it, and proceedings are taken to obtain a confirmation of the title in the same manner as in other cases of confirmation of title.

Effect of award thereafter.

Application for confirmation of title.

**84.** The judgment in confirmation of title extinguishes for ever all claims against the property, including unopened dower, as well as all mortgages and charges with which the property may be encumbered.

Effect of judgment in confirmation of title.

**85.** The court shall issue such order for the distribution, payment or investment of the indemnity and for securing the rights of all parties interested which it may consider right, according to justice and equity.

Court orders distribution, &c.

The costs of the proceedings shall be paid by the party indicated by the court.

Costs by whom payable.

**86.** If the judgment in confirmation be obtained in less than six months from the depositing of the indemnity in the hands of the prothonotary, the court orders that a proportionate amount of interest be paid to the depositing party.

Interest to be allowed depositing party if confirmation obtained in less than six months.

If the judgment be obtained only after the six months, the court shall order that such additional sum, as it may deem proper, shall be deposited to pay the amount of interest.

If after six months, interest to be paid by depositing party.

**87.** In case any arbitrator, appointed under any of the provisions of this act, or any commissioner appointed previous to the passing of this act, dies or is disqualified, refuses or is unable to act, the Superior Court, or any one of the judges of the court, as the case may be, shall, upon a summary petition to that effect to be presented by the town council, replace such arbitrator or commissioner by another competent and disinterested arbitrator or commissioner, upon whom the said office shall be binding in the same manner as upon his predecessor.

Replacing of arbitrator who dies, &c.

Exemption from taxes for thirty years of persons establishing industries, &c.

Proviso.

Exemption of the poor.

Declaration to be made by secretary-treasurer in cases of seizure by garnishment, &c.

**88.** The council may, by resolution, exempt from the payment of municipal taxes, for a period not exceeding thirty years, any person who carries on any industry, trade or enterprise whatsoever, as well as the land used for such industry, trade or enterprise, or agree with such person for a fixed sum of money, payable annually, for any period not exceeding thirty years, in commutation of all municipal taxes; but such resolution of the council shall be without effect until confirmed by a vote of the municipal electors taken by ballot in the manner above provided regarding municipal elections.

It may also exempt the poor of the town and their property from the payment of municipal taxes.

**89.** The secretary-treasurer of the town is authorized to make in any court of justice, in cases of *saisie-arrêt* in the hands of such corporation, all declarations which the corporation was heretofore held to make through an attorney specially authorized to that effect.

#### RECORDER'S COURT

Establishment of recorder's court.

Sittings where to be held.

Appointment of recorder, &c.

Recorder to be member of the Bar.  
May practise in other courts.

Salary of recorder.

Regulations as to appointment of substitute and clerk.

**90.** The town council may, by by-law, establish, maintain, abolish and again re-establish a recorder's court, which shall be presided over by the recorder appointed in the manner hereinafter prescribed.

**91.** The sittings of the court shall be held at the town-hall, or at such other place as the council may determine for the purpose.

**92.** The recorder shall be appointed by the Lieutenant-Governor in Council, on the recommendation of the town council; he shall be *ex-officio* a justice of the peace in and for the district of Montreal, and shall be vested with all the rights and powers and with all the authority of one or two justices of the peace and of the recorder's court.

**93.** The recorder shall be a member of the Bar of the Province of Quebec.

The acceptance of such office, and the exercise of the duties thereof shall not disqualify him from practising his profession before courts of justice other than the recorder's court, any law or regulation to the contrary notwithstanding.

**94.** The recorder's salary shall be, from time to time, fixed by a resolution of the council.

**95.** The council may, by by-law, determine how the recorder shall appoint a substitute and clerk, and fix the remuneration of each.

**96.** The recorder's court and all its officers shall be gov- 52 V., c. 79,  
erned by the provisions contained in title sixteen of the act title 16 to  
52 Victoria, chapter 79. govern record-  
er's court, &c.

**97.** This act shall not in any way affect the claims or Certain claims  
obligations which the council of the county of Chambly may not affected by  
have against the municipality actually erected into a town. act.

**98.** This act shall come into force on the day of its Coming into  
sanction. force.

## CAP. LXI

### An Act to incorporate the village of Grand'Mère

[Assented to 15th January, 1898]

**WHEREAS** the Laurentide Pulp Company (Limited) have Preamble.  
prayed for the incorporation of a certain extent of ter-  
ritory known as Grand'Mère, under the name of "Village of  
Grand'Mère," and whereas the inhabitants and rate-payers  
of the said territory have approved of the said prayer ;  
therefore Her Majesty, by and with the advice and consent  
of the Legislature of Quebec, enacts as follows :

#### CONSTITUTION OF THE CORPORATION

**1.** The Village of Grand'Mère shall include the territory, Territory of  
comprised within the line described as follows : village.

"Commencing at the point of intersection of the division  
line between lots Nos. 85 and 86 on the official plan and book  
of reference of the Cadastre of the parish of Ste. Flore, with  
the division line between *La Concession Ste. Catherine*  
No. 1 and *La Concession Ste. Catherine* No. 2 ; thence,  
north-westerly along the said division line between the  
said lots Nos. 85 and 86, a distance of twenty-four arpents,  
five perches and three feet, to the north-west side of the  
public road between the range St. Olivier and the said *Con-*  
*cession Ste. Catherine* No. 2 ; thence, in a north-easterly  
direction, along the said north-west side of the said public  
road, a distance of seven arpents and ten feet to the con-  
cession line of the St. Olivier range and *La Concession de*  
*la Grand'Mère* ; thence, north-westerly, along the last men-  
tioned concession line, a distance of three arpents to the divi-  
sion line between lots Nos. 94 and 95 ; thence, in a north-  
easterly direction, along the division between lot 94 on the  
north-east side of the said line and lots Nos. 95 and 96 on  
the north-west side of the said line, a distance of twenty-one  
arpents to the west bank of the River St. Maurice ; thence,

in a southerly direction, along the said west bank of the River St. Maurice and running down the River St. Maurice following the sinuosities of the said bank, a distance of six arpents, two perches and twelve feet to a point on the south bank of a creek known as *Rivière de la Grand'Mère*, such point being fixed by the prolongation of the east side of 1st Avenue to the bank of the River St. Maurice; starting from the said point and continuing in a southerly direction, along the said east side of the said 1st Avenue, a distance of nine arpents, six perches and five feet to the point of intersection between the said east side of 1st Avenue with the west line of the right of way of the Great Northern Railway; thence, following the said west line of the said Great Northern Railway in a south-westerly direction as far as the junction of the said railway with the Lake St. John Railway; thence, in a south-easterly direction, along the same side of the said right of way to the division line between *La Concession Ste. Catherine No. 1* and *La Concession Ste. Catherine No. 2*, the total distance of the boundary of the said village of Grand'Mère, along the said Great Northern Railway, being thirty-four arpents, four perches and twelve feet; thence starting from the point of intersection of the division line between *La Concession Ste. Catherine No. 1* and *La Concession Ste. Catherine No. 2* with the said south side of the Great Northern Railway, and in a south-westerly direction along such division line, a distance of nine arpents to the place of beginning.

The territory enclosed within the aforesaid limits comprises:

The whole of lot No. 94, lots Nos. 90, 91, 92, 93, less the portions of each of these lots lying east of 1st Avenue, and those portions of lots Nos. 88 and 89 lying west of the right of way of the Great Northern Railway, the above lots and parts of lots being in *La Concession de la Grand'Mère*;

Lots Nos. 86 and 87 in *La Concession Ste. Catherine No. 1*, less that portion of each of these lots lying east of the right of way of the Great Northern Railway.

The whole territory forms a superficies of two hundred and seventy-seven arpents, ten perches and forty-eight feet, more or less, the whole French measure."

Inhabitants  
incorporated

Name.

Village to  
form part of  
county of  
Champlain  
for certain  
purposes.

**2.** The inhabitants and rate-payers of the said municipality are constituted a village corporation, under the name of the "Village of Grand'Mère", for municipal and school purposes.

**3.** The village of Grand'Mère shall form part of the county of Champlain for municipal, school and electoral purposes, any law to the contrary notwithstanding.

4. The said municipality shall be subject to the law governing town corporations, except in so far as this act derogates therefrom or contains provisions inconsistent therewith. Laws applicable.

#### THE COUNCIL—MUNICIPAL ELECTIONS

5. The corporation shall be represented by a mayor and six councillors, elected, the former for one year, and the latter for three years. Composition of council and election of members.

Two of the councillors, elected at the first election, shall remain only one year in office; two others shall go out of office the following year. Retiring of two councillors.

Those who go out of office, before the expiration of their term, shall be designated by drawing lots in the manner determined by the council. Lots to decide who retires.

Four members of the council shall constitute a quorum. Quorum.

6. Article 4214 of the Revised Statutes is replaced, for the village, by the following : R. S., 4214, replaced for village.

Every person who has had his residence or place of business in the village for two months of the year preceding the election, and who possesses all the other qualifications required, shall be qualified to fill municipal offices in the village. Qualification for municipal office.

7. Article 4216 of the Revised Statutes is amended, for the village, by replacing paragraph 3 thereof by the following : R. S., 4216, § 3, replaced for village.

He has had his residence or place of business in the village for two months during the course of the year preceding the election. Residence in village, &c.

8. Article 4227 of the Revised Statutes is replaced, for the village, by the following : R. S., 4227, replaced for village.

Every person is a municipal elector, and as such has the right to vote at the election of mayor and councillors, and to exercise all the rights and privileges conferred on municipal electors, by the provisions of this chapter, who, at the time he exercises such rights and privileges, is within the following conditions : Qualification of elector.

1. He must have attained the age of majority and be a subject of Her Majesty ;

2. He must have been in possession, in the municipality, during the preceding six months, either in his own name or in the name and for the benefit of his wife, as appears by the valuation roll in force, as proprietor of real estate of the actual value of at least two hundred dollars, or as resident tenant, farmer, or lessee, or as occupant by any title whatsoever, of real estate of the annual value of at least twenty dollars ; or must have been a resident householder in the



village under a lease for two months during the year preceding the election ;

3. He must have paid all the municipal and school taxes due by him at the period of his exercising such rights as elector ;

4. His name must be entered, either as proprietor, lessee or occupant, on the valuation roll in force in the municipality, or be entered on the list of municipal electors, if there be such list.

Appointment  
of secretary-  
treasurer for  
municipality  
and duties to  
make list of  
electors.

9. Within two months after the passing of this act, the Lieutenant-Governor may appoint a secretary-treasurer for the municipality, whose duty it shall be, besides his general duties as such secretary-treasurer, to make within one month after his appointment, for the purposes of the first election to be held in the municipality, an electoral list upon which he shall enter the names of all the owners of real estate of the value of two hundred dollars and all lessees or occupants of real estate worth an annual rental of twenty dollars.

Deposit of list  
of electors.

10. When the secretary-treasurer shall have completed the said list, he shall deposit the same in his office or place of residence, and, after having certified the same under oath before a justice of the peace, he shall give public notice that the said list is so deposited and shall remain so deposited for fifteen days from the date of the publication of the said notice.

Notice.

Publication  
thereof.

The public notice shall be given by the secretary-treasurer, by reading the same aloud at the door of the chapel of Grand'Mère, after divine service, on the first Sunday after the list has been deposited, and by posting the same on the door of the mill belonging to The Laurentide Pulp Company.

Correction of  
list.

11. During fifteen days during which the list shall remain deposited, it shall be open to inspection by any interested party, and, upon satisfactory proof by oath before a justice of the peace that the secretary-treasurer has not entered the name of a person qualified as above stated to be on the list, the secretary-treasurer shall enter the name of such person on the list.

List for first  
election.

12. The list shall serve for the first election to be held in and for the municipality.

When first  
election to be  
held and who  
presides.

The first election of the mayor and councillors shall be held within six months after the coming into force of this act, and shall be presided by the secretary-treasurer whose duty it shall be to convene by public notice the municipal electors for that purpose.

**13.** Notwithstanding the provisions of section 5 of this act, all the officers elected at the first election shall remain in office until the third Monday in January, 1900.

Term of office of officers elected at first election.

**14.** On the first Monday following the first election the council shall hold its first session, within the limits of the village, at the place indicated by the secretary-treasurer, and subsequent sessions shall be held at the place designated by the council.

First session of council when and where to be held.

The secretary-treasurer shall replace the mayor until he enters into office.

Replacing of mayor.

**15.** Articles 4240 and 4241 of the Revised Statutes are replaced, for the village, by the following :

R. S., 4240 and 4241, replaced for village.

If, one hour after the opening of the meeting, there have been and remain nominated, for the office of councillors in one or more wards, more persons than there are councillors to be elected therefor, it is the duty of the officer presiding over the election to grant a poll for such ward, which poll shall be held at the hall where the sessions of the council are held on the seventh juridical day following the date of the nomination.

When a poll necessary at election for councillors.

If, after the same period of time, there have been and remain nominated more than one person for the office of mayor, the presiding officer shall grant a poll.

When for mayor, etc.

Such poll shall also be held at the hall where the sessions of the council are held on the seventh juridical day following the day of the nomination for each and every ward of the village, and at the same time as the poll for the election of councillors, if a poll is to be held for such latter office.

When and where poll to be held.

**16.** Article 4243 of the Revised Statutes is replaced, for the village, by the following :

R. S., 4243, replaced for village.

At the time specified, the poll is opened for each ward by the deputy presiding officer, who enters or causes to be entered in a book to be kept in accordance with the conditions hereinafter prescribed, the votes of the electors, entering therein the names and additions of each of them.

Voting.

The poll is opened at eight o'clock in the morning and closed at seven o'clock of the afternoon of the same day.

When voting commences and is closed.

**17.** Article 4276 of the Revised Statutes is replaced, for the village, by the following :

R. S., 4276, replaced for village.

The examination and decision of such contestation is vested in the Circuit Court of the county or district.

Jurisdiction in cases of contested elections.

#### POWERS OF THE CORPORATION

**18.** The council shall, in addition to the powers given under article 4178 and following of the Revised Statutes, have power to make by-laws :

Additional power of council to make by-laws for :

Peace and  
good order in  
village ;

1. For the good order, welfare, improvement, cleanliness, health, internal economy and local government of the village, and for the prevention and suppression of all nuisances, and all acts and proceedings in the village, obstructive, opposed or disadvantageous to the good order, morality, welfare, improvement, cleanliness, health, internal economy or local government of the village, for the better protection of life and property of the inhabitants of the village, and for protection against fire ;

Levying cer-  
tain taxes ;

2. For imposing and levying upon every corporation, merchant, trader, and commercial firm, carrying on any kind of business whatsoever within the limits of the village, an annual tax of not more than two hundred dollars ;

Restraining,  
&c., retail of  
liquors, &c.

3. For restraining, regulating or prohibiting the sale by retail of any spirituous, alcoholic or intoxicating liquors within the limits of the village.

#### MISCELLANEOUS PROVISIONS

R. S., 4330,  
replaced for  
village.

**19.** Article 4330 of the Revised Statutes is replaced, for the village, by the following :

Security how  
given.

The security is given by deed in authentic form and accepted by the mayor.

To convey  
hypotheec.

It must convey a hypotheec, for the sum of at least three hundred dollars, on real estate sufficient to guarantee the payment of such sum.

Assets, &c.,  
of village of  
parish of Ste.  
Flore.

**20.** The corporation of the village of the parish of Ste. Flore shall retain its own assets, and shall be responsible for its own liabilities.

Power of cor-  
poration of  
parish to levy  
only certain  
taxes.

**21.** The said corporation of the said parish shall levy, upon the immoveables situated in the municipality and on its inhabitants, only the taxes on immoveables and capita-tion taxes due on the day of the sanction of this act.

Power of vil-  
lage council  
to have access  
to books, &c.,  
of parish, &c.

**22.** The council of the village shall have the right to obtain access to all the books, documents, archives and papers belonging to the municipal corporation of the parish and its officers, which it may require.

Existing acts,  
&c., of coun-  
cil of Ste.  
Flore.

**23.** All the acts of the council of the parish of Ste. Flore shall remain in force in the village until replaced by the new village council.

How public  
notices are to  
be published.

**24.** The publication of a public notice shall be effected by posting up a copy of such notice in two different places in the village, determined, from time to time, by a resolution of the council, or in such other manner as the council may determine.

**25.** Every public notice, given for any purpose whatsoever, shall be published at least seven clear days before that fixed for such purpose, except when otherwise specified. Delay after publication.

Such delay runs from the day on which the notice was posted up in accordance with the preceding section. When it begins to run.

**26.** This act shall come into force on the day of its sanction. Coming into force.

## CAP. LXII

An Act to authorize the school commissioners of the municipality of the city of St. Henri, in the county of Hochelaga, to issue bonds

[Assented to 15th January, 1898]

**WHEREAS** the school commissioners of the municipality of the city of St. Henri, in the county of Hochelaga, have, by their petition, represented : Preamble.

That, in consequence of the increasing needs and necessities of primary education in the city of St. Henri, as well as the facilities offered for obtaining loans on bonds, it is expedient that the said commissioners be empowered to procure moneys, by means of bonds to a specified amount, for the purpose of paying obligations already incurred, purchasing the boarding school for young girls of the nuns of St. Anne, consolidating the floating debt and for the purposes of education generally, without being obliged to obtain further authorization from the Legislature, whenever it is necessary to issue bonds ;

Whereas, by their petition, the said commissioners have prayed that powers to that effect be conferred upon them, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Notwithstanding any provisions to the contrary, the said commissioners are authorized to issue bonds, for the purpose of procuring moneys for the payment of obligations already contracted, purchasing the boarding school for young girls of the nuns of St. Anne, consolidating the floating debt and for the purposes of education generally, to the amount of one hundred and fifty thousand dollars ; provided that each loan be authorized by by-law approved of by the majority in number and value of the electors who are proprietors in the said municipality, in the same manner as for municipal by-laws of the city of St. Henri respecting loans. Bonds authorized to be issued for certain purposes. Approval of by-law by electors who are proprietors required.

**2.** The said bonds shall be for five hundred dollars each, shall be redeemable within a delay of not less than forty years Amount and condition of issue.

from the date of their issue and shall bear interest at a rate not exceeding four and a half per cent. per annum.

Special tax  
for payment  
of interest  
and sinking  
fund, &c.

**3.** A special tax shall be levied each year upon the taxable real estate, belonging to Roman Catholics of the municipality of the city of St. Henri, sufficient to pay the yearly interest and at least one per cent. of the capital, which shall be invested in accordance with the provisions of article 981<sup>o</sup> of the Civil Code and which, with the interest, shall constitute a sinking fund.

How to be  
levied, &c.

Such tax shall be levied and collected as an ordinary school tax.

Coming into  
force.

**4.** This act shall come into force on the day of its sanction.

### CAP. LXIII

An Act to amend the law authorizing the trustees of the parish of St. Jérôme to borrow a sum not exceeding sixty thousand dollars for the building of a church, presbytery and dependencies

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** the trustees of the parish of St. Jérôme have, by their petition, represented :

That they were authorized by the act 60 Victoria, chapter 71, section 1, to borrow a sum not exceeding sixty thousand dollars, at a rate of interest not exceeding five per cent. with sinking fund, but that the said act gives rise to a double interpretation in consequence of the wording of the preamble and of section 2 ;

That it is expedient to remove such doubts and to show that the said trustees may issue debentures to effect the loan of the said sum of sixty thousand dollars, at a rate of interest not exceeding five per cent., with a sinking fund ;

That it is urgent that the said trustees be authorized to have a valuation made of the properties or real estate of the said parish of St. Jérôme, if it deem expedient, and to validate, ratify and legalize every such valuation that they may have heretofore made ;

Whereas it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Section added  
after s. 1. of  
60 V., c. 71.  
Power to is-  
sue deben-  
tures.

**1.** The following section is added after section 1 of the act 60 Victoria, chapter 71 :

“ **1a.** The said trustees of the parish of St. Jérôme are authorized to issue debentures to effect such loan, for a

sum not exceeding sixty thousand dollars, at a rate of interest not exceeding five per cent. per annum, with a sinking fund."

**2.** Section 2 of the said act is repealed.

Id., s. 2, repealed.

**3.** Section 3 of the said act is replaced by the following :

Id., s. 3, replaced.

"**3.** To secure the repayment of the said sum so borrowed, with interest and sinking fund, the said trustees are authorized to assess and levy, on the freehold proprietors of the said parish of St. Jérôme, the above mentioned amounts, interest and sinking fund required, on the terms and within the delays aforesaid, and to proceed to have the valuation made of the properties and real estate situate in the said parish of St. Jérôme, if they deem expedient."

Assessment authorized to secure repayment of moneys borrowed.

**4.** The present act legalizes, confirms and renders valid, to all intents and purposes whatsoever, any issue of debentures made in virtue of the act 60 Victoria, chapter 71, and in particular the debentures which have been issued and signed on the 2nd July, 1897.

Certain issues of debentures, &c., legalized.

The present act also legalizes, confirms and renders valid any valuation that the said trustees may have made, before the coming into force of this act, of the properties or real estate situate in the said four municipalities constituting the parish of St. Jérôme.

Valuation heretofore made rendered valid.

**5.** This act shall come into force on the day of its sanction.

Coming into force.

## CAP. LXIV

### An Act to incorporate the Chaudière Valley Railway Company

[Assented to 15th January, 1898]

**WHEREAS** the undermentioned persons have, by their petition, represented :

Preamble.

That it is in the interest of the district of Quebec, and the district of Beauce, that a railway be built and put in operation to connect the projected bridge over the river St. Lawrence, near the city of Quebec, with a point in the vicinity of Scott's Junction in the district of Beauce, with a deep water terminus, in or near the town of Levis, in the county of Levis ;

That a railway running along the Chaudière river, and connecting the said points would be of great advantage for the development of that portion of the Province ;

Whereas John Breakey, lumber merchant and president of the Quebec Bank, residing in the city of Quebec, Colin Cathcart Breakey, gentleman, of Quebec, George Breakey, merchant, of the parish St. Jean Chrysostôme, in the county of Levis, Denaston Breakey, agent, of the city of Quebec, and Harold Breakey, gentleman, of the city of Quebec, have prayed for the passing of an act constituting them a body politic and corporate under the name of The Chaudière Valley Railway Company, for the purpose of constructing and putting the said railway in operation, and whereas it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

#### INCORPORATION OF THE COMPANY—ITS OBJECT

Persons in-  
corporated.

Name.

Purposes of  
incorpora-  
tion.

**1.** The said John Breakey, Colin Cathcart Breakey, George Breakey, Denaston Breakey and Harold Breakey are hereby constituted a body politic and corporate under the name of "The Chaudière Valley Railway Company" for the purpose of constructing and putting in operation a railway from a point in connection with the projected bridge over the river St. Lawrence near the city of Quebec, and thence along the Chaudière river from the mouth of the said river either on one side or on the other, and in such manner as to include and comprise that section of railway, six miles in length, already built and actually run by the said John Breakey, to a point in the vicinity of Scott's Junction, with the necessary powers to connect with or cross the road of the Quebec Central Railway, at or near Scott's Junction, and other railway lines, subject as regards such crossings or connections with railways to the previous fulfilment of the formalities required by the federal laws.

Deep water  
terminus at  
Levis, and  
railway line,  
&c.

**2.** The company shall further have power to build a suitable terminus at deep water, in or near the town of Levis, in the county of Levis, and for such purpose to build its line and carry its railway from the banks of the Chaudière river through the parishes of St. Romuald, St. Telesphore, and St. David and the town of Levis, the whole in so far as this Legislature may grant such powers.

Head office of  
company.

**3.** The head office of the company shall be in the city of Quebec in the Province of Quebec.

First direc-  
tors.

**4.** The first directors of the company shall be the said John Breakey, Denaston Breakey and George Breakey, which directors all reside in Canada and are British subjects.

Quorum,

Two of them shall constitute a quorum.

**5.** All other persons who shall become shareholders of the company shall form part of the corporation hereby constituted. Other members of corporation.

**6.** The company may likewise locate, construct and run other branches from all or each of the points aforesaid, and from any other point it may deem expedient on its railway or branches to facilitate the working of the main line ; such branches shall not exceed six miles in length from the main line. Power to locate, &c., branches.

**7.** The company has also power to construct the bridges required for its railway over any river, at such points as it may deem expedient, and make such bridges suitable for the passage of horses, vehicles and foot-passengers. Power to build, &c., bridges.

**8.** It is further authorized to construct and work the telegraph and telephone lines required for the working of the said railway. Power to build, &c., telegraph and telephone lines.

#### CAPITAL STOCK—INSTALMENTS

**9.** The capital stock of the company shall be one hundred and fifty thousand dollars divided into fifteen hundred shares of one hundred dollars each. Capital stock. Shares.

Such capital may be increased, from time to time, by a vote of the majority in value of the shareholders present in person or represented by proxy, at any meeting convened for that purpose. Increase thereof.

**10.** As soon as the sum of twenty-five thousand dollars shall have been subscribed and five thousand dollars paid on account of such stock, the company may commence its operations and the directors or the majority thereof shall call the first general meeting of the shareholders, at the head office of the company when they deem it expedient, after notice given by registered letter to each shareholder, at least eight days beforehand. When works may be commenced.

**11.** The directors may, at any time, make calls upon the shareholders for such instalments as they may deem expedient. Calls.

However, no instalment called for shall exceed ten per cent. of the capital subscribed, and the instalment cannot be exacted unless a notice has been sent by mail by registered letter to each shareholder, at least one month before the same is payable. Limit of calls.

**12.** The first provisional directors shall remain in office until the first election of directors which shall be held under this act. Term of office of first directors.



Powers of first directors.

They have power, immediately after the sanction of this act, to fill vacancies occurring on the board, to open stock books, to obtain subscriptions to the capital stock of the company, to call up instalments on stock, and to have plans and surveys made in order to commence and continue the construction of the said railway.

#### BOARD OF DIRECTORS

Composition of permanent board.

**13.** The board of directors shall, from and after the first election of directors held under this act, consist of seven directors, elected as provided in the foregoing articles.

Annual meeting for election of directors.

**14.** The general meeting of the shareholders, for the purpose of electing the directors, shall be held, each year, on the second Tuesday of September, at the head office of the company, at the hour indicated in the notice calling such meeting; which notice shall be sent by registered letter to the address of each shareholder, as entered in the stock book of the company and mailed at least fifteen days before the meeting.

Notice therefor.

First meeting.

The first general meeting of the shareholders for the election of directors shall be held on the second Tuesday of September, after the coming into force of this act.

If meeting not held.

**15.** The fact of the meeting not having been held shall not have the effect of dissolving the company.

Term of office of directors when to cease.

The directors in office shall, in such case, hold office until they have been replaced at a subsequent meeting convened at any time in the same manner as the annual meeting.

Number and quorum of directors.

**16.** The board of directors shall consist of seven, elected under article 14.

Four directors shall constitute a quorum.

President and vice-president.

They shall select from amongst their number a president and vice-president.

Qualification of directors.

**17.** No one can be elected or appointed a director unless he holds, in his own name, at least ten shares of the capital stock of the company and has paid up all calls thereon.

Powers of directors as to vacancies.

**18.** The directors or the majority of them may fill vacancies which arise on the board, through death or resignation, by selecting duly qualified shareholders to fill such vacancies.

Term of office of replacing directors.

The directors so appointed shall remain in office until the date of the following general election.

Paid directors, &c.

**19.** The directors may appoint one or more of their number as paid director or directors, subject to ratification by the shareholders at a general meeting held immediately after such appointment, duly called for the purpose.

## POWERS OF THE COMPANY

**20.** The company may :

1. Acquire, receive and hold lands for obtaining supplies of gravel, stone, and earth required for the works, stations, freight sheds and other purposes, and sell and alienate such lands or any portion thereof when it no longer needs the same ;

Company may :

Acquire, &amp;c. lands for freight way, &amp;c.

2. Acquire, receive and hold lands for erecting freight sheds, docks, stations, workshops and offices, and erect any other buildings, thereon, and dispose of any property connected therewith, when it no longer requires the same.

Acquire, &amp;c., lands for freight sheds, &amp;c. ;

**21.** It may sell, lease, and hypothecate all lands and other property belonging to it, which are no longer required for its road.

Sale of lands not required.

**22.** It may also mortgage or pledge the bonds which it is hereby authorized to issue for the construction of its railway or otherwise.

Power to mortgage and pledge bonds, &amp;c.

**23.** The company may make, endorse, draw and accept notes to order and bills of exchange of not less than one hundred dollars each.

Power to make, &amp;c., promissory notes.

Such notes or bills of exchange made, drawn, accepted or endorsed by the president or vice-president or any other officer thereunto authorized by the by-laws of the company and countersigned by the secretary, shall bind the company.

Notes, &amp;c., binding on company.

**24.** Every note or bill of exchange, fulfilling such conditions shall be deemed to have been duly executed with the required authorization until the contrary be proved ; and in no case shall it be necessary to affix the seal of the company to such notes and bills of exchange.

Notes to be presumed as lawfully executed. Seal not necessary.

**25.** The president, vice-president, secretary or other officer of the company thereunto authorized shall not incur any personal responsibility with respect to such notes and bills of exchange which fulfil the conditions above required.

Officers signing incur no personal responsibility.

## AGREEMENTS WITH OTHER COMPANIES

**26.** The company may amalgamate with any other railway company whose line may be crossed by the railway of the company or its branches or which the latter may join or unite with.

Power to amalgamate.

**27.** The company is authorized to enter into agreements with other railway companies :

Power to enter into certain agreements for : Passage of cars ;

1. For the passage of its cars and running of its trains over any line of railway which its own line may cross or may

join, as well as for the running of the trains of any other railway company over its own line ;

Acquiring  
branch lines ;

2. For acquiring branch lines ;

Facilitating  
connections ;

3. For facilitating connections between its railway and any other ;

Acquiring  
franchises,  
&c., of other  
railways.

4. For acquiring the property, rights, franchises and privileges and rolling stock of other railway companies and for leasing any other railway in whole or in part.

Company  
may lease or  
sell, &c., its  
road, &c.

**28.** The company is further authorized to make arrangements with any other railway company for the purpose of leasing, selling or transferring the whole of its road and its branches or the whole of its interest in such road, or in any part thereof, to any other railway company on such conditions as the directors may deem expedient.

#### MISCELLANEOUS PROVISIONS

Equal rights  
of sharehold-  
ers.

**29.** The shareholders of the company, whether they be British subjects or aliens, and whether they reside in Canada or elsewhere, shall have the same rights and privileges.

Their powers.

They may hold shares, vote by reason of such shares and be eligible for office in the company.

Issue of paid-  
up stock.

**30.** The directors may issue, as paid up stock, shares in the company, and may allot and hand over such stock, as paid up stock, and the mortgage bonds of the company, in payment of right of way, plant, rolling stock, or material of any kind, and also for the services of employees and contractors of the company.

Issue to be  
binding on  
company.

**31.** Such issue and allotment of stock or bonds shall be binding on the company, and such paid up stock shall be unassessable thereafter for calls.

Municipal  
corporations  
may assist  
company, &c.

**32.** Notwithstanding any provision to the contrary, or the absence of any provision allowing the same, authority is hereby given to the corporation of any city, town, village, county or parish, or any municipality interested in the construction of the proposed railway, to subscribe for shares in the capital stock of the company or to give sums of money to it gratuitously, either for the purpose of facilitating its preliminary works, or of aiding the construction of the railway, or to grant lands, exemption from taxes or other advantages to the company ; and the councils of these various municipalities are hereby authorized to make such agreements with the company as they may deem useful for the purpose of facilitating and assuring the construction of the said road, the whole, nevertheless, subject to the provisions of article 481 of the Municipal Code or the acts governing the said corporations, as the case may be.

**33.** All deeds and conveyances of property to the company for the purposes of this act shall, in so far as circumstances permit, in the discretion of the company, be in notarial form or in any other form to the same effect. Form of deeds of conveyance of lands.

**34.** The company shall pay to the registrar for all fees the sum of fifty cents for each registration. Fee for registration.

**35.** Such registration shall be deemed valid in law and shall, as regards rights of ownership, servitudes, hypothecs and other real rights, have the same effect as the registration prescribed by the Civil Code. Registration to be deemed valid.

**36.** The provisions now in force of the railway law of this Province and of its amendments shall apply to the company, except in so far as they may derogate herefrom or be inconsistent herewith. Application of general law.

**37.** This act shall come into force on the day of its sanction. Coming into force.

## CAP. LXV

An act to amend and consolidate the act incorporating the Chambly Manufacturing Company, 51-52 Victoria, chapter 73, as amended by the act 59 Victoria, chapter 97

[Assented to 15th January, 1898]

**W**HEREAS the Chambly Manufacturing Company has, by its petition, prayed that its act of incorporation, as amended, be further amended and consolidated, and that its powers be increased; and whereas it is expedient to grant its prayer; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The acts passed by the Legislature of this Province, 51-52 Victoria, chapter 73, and 59 Victoria, chapter 97, are replaced by the present act. 51-52 V., c. 73, 59 V., c. 97, repealed.

**2.** The company hereby constituted is substituted to all intents and purposes for that which existed under the acts repealed by the foregoing article, and succeeds to it in all its rights, privileges, powers and obligations, and all its property and assets are hereby vested in this company, and this company shall be held to have assumed all its obligations or liabilities of every nature and kind. Present company substituted to former one, &c.

By-laws, &c.,  
already made,  
&c., to remain  
in force.

**3.** The by-laws of the company, bonds or debentures issued, agreements, contracts or other acts, lawfully passed, adopted, consented or made in virtue of the acts repealed by article 1, shall continue to have force and effect until cancelled, modified, replaced, repealed or executed by or in virtue of the provisions of this act.

Present officers.

The present officers of the company shall remain in office until replaced in virtue of this act or of the by-laws.

Members  
constituted a  
corporation.

**4.** The present members of the company and those who hereafter may become members thereof, in virtue of the provisions of this act, shall be and are constituted a corporation and body politic under the name of "The Chambly Manufacturing Company."

Name.

General powers.

Such corporation shall continue and shall have perpetual succession, and a corporate seal, with power to alter and change the same at pleasure, and may sue or be sued, plead and be impleaded in all courts of law, as other corporations may do, and shall have power to acquire and hold real or immoveable estate, for the purpose of their business, not exceeding the yearly value of one hundred and fifty thousand dollars, and may sell, alienate, exchange and let or lease the same.

Head office.

**5.** The head office of the company shall be in the city of Montreal.

Powers of  
company.

**6.** The company shall have power to erect, construct and maintain a dam or dams along the rapids of the River Richelieu, at or in the neighborhood of Chambly, and also to conduct water from the said river, by canals or flumes, to be made by the company at any place on the said rapids along the banks thereof, for hydraulic and manufacturing purposes, and may also construct all necessary locks, piers and other works on the said canals; may enter upon and take possession of the bed and beach of the said river at the entrance of the said canals or flumes, also for the foundations of the same in their entire length, and at any point at which it may be found expedient to provide outlets for the waters of such canals or flumes, or tail-races for water-powers taken from the said canals or flumes; may enter upon and survey all lands on the line of the said rapids; and, from time to time, may purchase, acquire, hold and enjoy all lands necessary for the said purposes, and for such ditches as may be necessary along the banks of the said river, and for a road on either or both sides thereof; and may make all bridges, intersections, crossings, whether through, under or upon public or private roads, or any aqueduct or canal, provided that the lands so to be taken for the canals and for the ditches on either side thereof, and for such road or roads, shall not exceed six hundred feet English measure in width,

and may erect all necessary dams, piers, wharves, flumes, or other works, to secure the necessary supply of water for the said works.

**7.** The company may use, sell, dispose of or lease water from the said flumes, dams or canals, which may be found useful and applicable to drive any machinery in mills, warehouses and manufactories; may purchase, acquire, hold or possess lands along the sides of the said flumes, dams or canals on either side, or both sides thereof, and down to the said river, and may sell, dispose of, or let and lease the said lands, with or without the water-power, on such terms and conditions as it may think fit; may construct and maintain stores, warehouses, sheds, and other buildings for the reception and storing of goods, and may construct elevators, cranes and weigh-beams, and all such other works and erections as shall be requisite to give effect to the full intent and meaning of this act. Power to use, &c., water, &c.

**8.** After having acquired the land or property necessary, the company shall have power to erect engines, or employ hydraulic power, and for such purpose, erect, construct and maintain a dam or dams across the rapids of any river, and also to conduct water from any such river by canals or flumes to be made by the company, at any place on the said rapids along the bank thereof, for hydraulic purposes; and may also construct all necessary locks, piers, and other works on the canals. Power to erect, &c., engines, &c.

It may extend its work into and take possession of the bed and beach of any river, at the entrance of the canals or flumes, also for the foundations of the same, in their entire length, and at any point at which it may be found expedient to provide an outlet or outlets for the waters of the canals or flumes, or tail-races for water-powers taken from the said canals or flumes. Power to take possession of beds, &c., of rivers, &c.

It may enter upon, in order to survey, all lands on the line of rapids, and from time to time may purchase, acquire, hold and enjoy all lands necessary for all the above purposes, and such ditches as may be necessary along the banks of any such river, or for a road on either or both sides thereof. Survey, &c., of lands.

It may make all bridges, intersections, crossings, whether through, under, or upon public or private roads, or any aqueduct or canal, and may erect all necessary dams, piers, wharves, canals, flumes or other works to secure the necessary supply of water for the works. Bridges.

The company shall be responsible for all damages arising from inundations which its dams may cause, or the carrying out of any of its works. Company responsible for damages.

It shall also obtain from competent authority, in the Dominion of Canada, permission to make use of and utilize any public property within the jurisdiction of the Dominion. Permission required for certain works, &c.

53 V., (C.) c.  
96, to apply to  
company.

The company shall continue to have the benefit of the act 53 Victoria, chapter 96 (Canada), so long as the same remains in force, and shall be subject to all the provisions of the said act.

Company may  
operate ma-  
chinery, &c.,  
for supply of  
water, electri-  
city, &c.

9. The company may make, construct, maintain and operate all necessary works, machinery and apparatus for the use and supply of water and for the production and utilisation of electricity and power, and may use, sell, lease or otherwise dispose of the same.

Company may  
purchase ma-  
chinery for  
that purpose,  
&c., patents,  
&c.

The company may purchase, sell or lease such machinery, apparatus and instruments and rights relating thereto, and acquire, by purchase or lease or otherwise, any patents of invention of, or affecting any of the same or improvements thereof.

Company may  
sell, &c., pa-  
tents, &c.,

The company may sell, lease or otherwise dispose of such patents of invention, in whole or in part, or lease or grant rights thereunder.

Company not  
to operate  
railways, tele-  
graphs, tele-  
phones for  
general pur-  
poses.

Nothing herein shall, however, empower the company to construct, acquire and operate railways or tramways nor telegraph or telephone lines, except telegraph or telephone lines for the purposes of the company only.

Company may  
use or sell, &c.,  
water-power,  
for :

10. The company may itself use the said water-power, or lease and transfer the privilege of using the same to other persons or companies for the following purposes only :

Pumping wa-  
ter for use of  
municipal cor-  
porations,  
&c. ;

1. For pumping water, placing it in a reservoir or driving it so as to supply it to municipal corporations, public bodies or citizens generally for a consideration or payment, and, for that purpose, to distribute such water over an extent of fifteen miles in any direction by means of underground pipes, which the company shall have power to lay along public or private roads and by-roads ; but the laying of such underground pipes cannot be done without the permission of the municipalities, corporations or private individuals interested.

Arrange-  
ments which  
company may  
make.

The company and its assigns and grantees may make arrangements in this connection on such conditions as shall be agreed upon between the contracting parties.

Producing  
electricity.

2. For producing electricity for public or private lighting purposes or to be used as motor power and, for that purpose, to set up and establish all necessary apparatus for transmitting such electricity to a distance not exceeding twenty miles in any direction by means of wires or metallic cables on posts or underground along all public and private roads, streets and by-roads, by obtaining the consent of the corporation and individuals interested, and, when necessary, it may place such wires on posts and on private property by paying for damages caused thereby to the interested parties.

Arrange-  
ments which  
company may  
make.

The company and its assigns and grantees may make arrangements in this connection, upon conditions to be agreed upon between the interested parties.

11. The company may lay its wires underground, as the same may be necessary, and in so many of the streets, squares, highways, lanes and public places, as may be deemed necessary, from the works of the company to the place where such electricity is to be consumed, without doing any unnecessary damage to the streets, lanes, squares, highways and public places, and taking care, as far as may be, to reserve a free and uninterrupted passage through the said streets, squares, highways, lanes and public places while the works are in progress.

Power to lay wires underground, &c.

The company may also erect above ground all necessary constructions, including posts, piers and abutments intended for holding up the wires conducting the electricity along or across public roads and highways, or over any water-course in this province, provided that they shall not be so erected as to inconvenience the public using the said public roads, bridges or banks, nor to prevent free access to any house or other building erected in the vicinity, nor interrupt the navigation of the said waters.

Power to erect posts, &c., above ground.

The company shall in no wise interfere with public traffic or the use of such streets, squares, public places, roads, highways; and, in cities, towns and incorporated villages, the company shall not erect any posts of a greater height than forty feet, nor extend wires at a lesser height than twenty-two feet above the level of the street, nor erect more than one line of posts in any street, unless it shall have the consent of the municipal council for so doing: and, in all cities, towns or incorporated villages, the poles shall be as straight and as perpendicular as possible, and shall be painted in cities, if any by-law of the council require it.

Traffic not to be interfered with. Height of posts in cities, &c.

Poles in cities, &c., to be painted if required.

The company shall not cut down or injure any tree in cities, towns or incorporated villages; the opening of streets for the planting of posts or conducting wires underground shall be made under the direction and supervision of the engineer or other officer whom the council may appoint, and in such manner as the town or municipal council may prescribe; and the surface of the street shall, in all cases be replaced in its former state by the company and at its expense.

Trees not to be cut down in streets.

Municipal officer to supervise certain works.

Whenever, in the event of fire, it shall become necessary, for its extinction, or in order to save property, to cut the wires, the fact that such wires have been cut, under such circumstances and by the order of the engineer or other officer in charge of the fire brigade, shall not entitle the company to any claim for compensation for the damages it may have suffered; provided that the company shall not be responsible to consumers of electricity for any interruption in the supply of light, arising from that cause for the carrying out of the purposes herein mentioned.

Damages not to be claimed if wires, &c., cut down in cases of fire, &c.



Power to sell,  
&c., surplus  
water, &c.

**12.** The company may use, sell, dispose of, or lease the surplus water from the flumes, dams or canals, but which might be found useful and applicable to drive any machinery in mills, warehouses, and manufactories; and may purchase, acquire, hold, or possess lands along the sides of the flumes, dams, or canals, on either side or both sides thereof, and down to the river, and may sell, dispose of, or let and lease the said lands, with or without water-power, on such terms and conditions as it may think fit.

Reports to  
Commissioner  
of Public  
Works, &c.,  
before com-  
mencing cer-  
tain works,  
&c.

**13.** Before commencing the laying of wires underground or the erection of flumes, the company shall be bound to make, to the Commissioner of Public Works, a report of the works which it proposes to undertake, and send a copy of the same to the municipal council of the municipality in which the projected works are to be made, or if it happens that such works are situated in more than one municipality, then to the municipal council of each municipality within the limits of which the proposed works are situated.

Approval of  
Commissioner  
before com-  
mencing  
works.

**14.** The company shall have no right to commence constructing such flumes and laying such wires underground, before the approval of the Commissioner of Public Works has been signified in writing, nor before the expiration of thirty days from the day on which the report or reports aforesaid shall have been presented to the municipal council or councils (as the case may be), although the approval of the Commissioner may have been signified in writing before the expiration of such period.

Public health,  
&c., safety not  
to be endan-  
gered by  
works.

**15.** The company shall construct and locate its works and all apparatus and appurtenances thereunto belonging or appertaining so as not to endanger the public health or safety.

Works sub-  
ject to inspec-  
tion by muni-  
cipal author-  
ities, &c.

The works, apparatus and appurtenances shall, at all reasonable times, be subject to visit and inspection of the municipal authorities of the municipality, within the limits whereof they are situate, reasonable notice thereof being previously given to the company.

Company,  
&c., to obey  
orders of mu-  
nicipal au-  
thorities, &c.

The company, its servants and workmen shall, at all times, obey all just and reasonable orders and directions they shall receive from the municipal authorities in that respect.

R. S. 5164 to  
apply to ex-  
propriations.

**16.** Article 5164 of the Revised Statutes shall apply to this act and form part thereof, in the event of its being necessary for the company to take proceedings for taking possession of property, including the bed and the shore of the said river, as well as the water powers on the said river, by forced expropriation, in the carrying out of the works which

it is authorized to do, and for the use which it intends to make of the same.

**17.** The water and electricity supplied by the company or its grantees shall be supplied upon the terms and conditions to be agreed upon in this connection between the parties interested. Water, &c., to be supplied under contract.

The company shall always have the right to have all the apparatus examined and repaired, which is used for the purpose of distributing such water and such electricity; and its employees shall have the right to enter upon private property for such purposes only. Power of company to inspect apparatus used.

**18.** The company shall not erect any dams across the river Richelieu nor do anything affecting the navigation of the said river or the Chambly canal, without the authority or consent of the Government or of the Parliament of Canada first obtained. Authority required before erecting dams, &c., on Richelieu river or Chambly canal.

**19.** The affairs of the company shall be managed by a board of nine directors, which number may, however, be increased or decreased by the by-laws of the company. Board of directors.

**20.** The directors may enact by-laws for the regulation of the affairs and procedure of the company, including the number, qualification, and remuneration of directors, the names and functions of the officers of the company, the transfer of shares, the time and place of shareholders' and directors' meetings, and the general details of the company's business. Power to make by-laws, &c.

**21.** The directors may also, by by-laws, change or convert the shares or capital stock of the company from Canadian currency to sterling, and *vice versa*, and even increase or decrease the par value of such shares. Conversion of stock into sterling and *vice versa*.

**22.** The directors may, in the name of the company, take and hold shares in any company furnishing light, motive power or any other advantage resulting from or in connection with electricity or its use, and, generally, in any company in payment or on account of all rights or for privileges purchased, leased or otherwise acquired from this company, or in payment for apparatus or machinery, or to save or protect some claim of the company; but any such acquisition of shares cannot, at any time, exceed three hundred thousand dollars, unless the consent of the majority in value of the shareholders be obtained. Power to hold shares in other companies.

**23.** The capital stock of the company shall be two million dollars, divided into shares of one hundred dollars each, Capital stock and shares.

which shares shall be and are hereby vested in the several persons who may have subscribed or shall subscribe for the same, their legal representatives and assigns.

Increase of  
capital stock.

**24.** The directors of the company, if they see fit, may, at any time after the whole capital stock of the company shall have been allotted and paid in, but no sooner, make any by-law for increasing the capital stock of the company to any amount which they may consider requisite for the due carrying out of the purposes of the company.

Approval re-  
quired.

No such by-law shall have any force or effect whatever until after it shall have been sanctioned by a vote of not less than two-thirds in amount of the shares held by shareholders present or represented and voting at a general meeting of the company duly called for the purpose of considering such by-law, nor until a copy thereof, duly authenticated, shall have been fyled, as hereinafter mentioned, in the office of the Provincial Secretary or such other officer as the Lieutenant-Governor in Council may direct.

By-law, what  
to declare.

Every by-law for increasing the capital stock of the company shall declare the number and value of the shares of the new stock, and may prescribe the manner in which the same shall be allotted, and in default of its so doing the control of such allotment shall be held to vest absolutely in the directors.

Notice in  
*Quebec Official  
Gazette* of ap-  
proval of by-  
law.

**25.** The company may, within six months after a duly authenticated copy of such by-law has been fyled in the office of the Provincial Secretary, or such other person as the Lieutenant-Governor in Council may have named for the purpose, require and cause a notice, under the signature of the Provincial Secretary or other proper officer, to be inserted in the *Quebec Official Gazette*, that such by-law has been passed and fyled as aforesaid; and stating the number and amount of the shares of new stock, the amount actually subscribed, and the amount paid in, in respect thereof; and, from the date of such notice, the new stock shall become subject to all provisions of law in like manner (as far as may be) as though the same had formed part of the stock of the company originally subscribed.

Issue of pre-  
ference stock.

**26.** For the purpose of providing for the liabilities of the company at any time existing, or for the purpose of redeeming its bonds or debentures, or of providing any additional capital required, the directors, under the authority of the shareholders to them given at a general meeting specially called for the purpose, at which meeting, shareholders holding at least four-fifths in value of the capital stock of the company are present or represented, may issue preference

stock to an amount not exceeding the liabilities of the company for the time being. The provisions contained in articles 23 and 24 of this act shall also apply to the present article.

Such stock shall be divided into shares of the par value of one hundred dollars each, and shall entitle the holders thereof to such right of priority over the non-preferred stock of the company in dividends or otherwise as may be prescribed by the by-law authorizing the same. How divided and rights thereunder.

The by-law authorizing the issue of preference stock shall also determine the rights, privileges and qualifications, if any, of holders of said stock for voting at meetings of the company or for being directors or for any other purpose. What by-law to determine.

The company shall have the right at any time to redeem and cancel such preference stock or any portion thereof, upon the terms and conditions stipulated and set forth in the by-law authorizing its issue. Cancellation of preference stock.

The company, instead of selling such preference stock, may pledge all or any part thereof, at the best price and on the best terms and conditions obtainable, to raise money for its undertaking, and, in that case, may issue the said preference stock as paid up. Pledging of preference stock.

**27.** Every share in the capital of the company shall be deemed to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless the same shall have been otherwise agreed upon and determined by a contract duly made in writing and filed with the Provincial Secretary, on or before the issue of such shares. Shares to be payable in cash. Proviso.

**28.** It shall be lawful for any municipal corporation to give the company such bonus, loan or advances, or grant it such privileges and exemptions as may be deemed advisable by the council of such municipal corporation. Municipal corporations may make grants, &c., to company.

**29.** The directors of the company are authorized to effect a loan or loans on bonds or debentures to the extent of seven hundred and fifty thousand dollars, or such further sum not exceeding seventy-five per cent of the paid up stock, (common and preferred), of the company at such time as the loan or loans is or are effected, in such amounts and for such periods of time as they may deem expedient. Power to borrow to certain amount.

Such bonds or debentures shall be issued under the signature of the president or vice-president and under the seal of the company, and shall be signed by the secretary for the amount or amounts so loaned. They shall be payable either within the limits of the province, or elsewhere, in current money or in sterling, with interest payable at definite periods, with or without coupons; and if there be coupons, they shall bear the engraved signature of the secretary, and such bonds or debentures shall become due at the dates, and be drawn up in the form prescribed by a resolution of the directors. Bonds how issued and signed, &c..

Approval re-  
quired before  
issue.

Such bonds or debentures shall not be issued until such issue has been approved by the holders of at least two-thirds in value of the stockholders present or represented at a meeting of the company, called for the purpose of considering such issue.

Proviso.

Provided the total amount of bonds or debentures of the company, at any time outstanding, does not exceed seventy-five per cent of the then paid up stock, (common and preferred), of the company, the said directors may, with the approval of the shareholders, as aforesaid, whether to pay off former loans or bonds or debentures, or for any of the purposes aforesaid, effect as many loans and make as many issues of bonds or debentures as they may think proper.

Mortgage  
deed as secu-  
rity for  
bonds.

As security for the payment of such bonds or debentures, the directors of the company are authorized to grant a mortgage by notarial deed, to one or more trustees, in favor of the holders of such bonds or debentures, upon the immoveable property of the company, describing it as required by law, and mentioning the issue and amount of the bonds or debentures secured thereby. Such bonds or debentures shall further be a preferential charge upon the machinery, plant, rates, revenues, rents, rights and other assets of the company.

Deposit of  
plan of works  
with Commis-  
sioner of Co-  
lonization and  
Mines.

**30.** It shall be lawful for the company to deposit in the office of the Commissioner of Colonization and Mines, a plan and book of reference, certified by the secretary of the company, of any of its systems or works, indicating the systems and their location and giving all information necessary to make the description thereof understood, and to designate such systems, on the said plan and book of reference, by one or more special numbers or designations different from the numbers and designations on the official plan of the cadastre of the municipality or municipalities in which such systems are situated; and the Commissioner of Colonization and Mines shall receive such plan and book of reference, and, if found correct, shall send a certified copy to the registrar of the division or divisions in which such systems are situated.

Receipt of  
plan by Com-  
missioner and  
copy to be sent  
by him to pro-  
per registrar.

How changes  
on plan are  
made.

**31.** All changes, extensions and corrections in the said plan and book of reference may be made in the same manner.

Notice of de-  
posit of plan.

**32.** The Commissioner of Colonization and Mines shall cause a notice to be published in the *Quebec Official Gazette* of the deposit of any plan and book of reference so transmitted to him by the registrar as aforesaid.

Plan, &c., to  
be evidence.

**33.** Such plan and book of reference, or any portion thereof, certified by the registrar, shall be received as evidence in all courts of justice.

**34.** Every registrar, who receives the said plan and book of reference, shall make the ordinary entries thereof in his office books, and shall receive and register, in the usual manner, any deed of mortgage, transfer or other deed respecting the systems described in the said plan and book of reference or any portion thereof.

Duty of registrar after receiving plan, &c.

**35.** By the registration of every such mortgage deed against all of the systems in the form above provided, a lien shall be established upon all moveable and immoveable property, rights, concessions, advances, servitudes, rents, revenues and other accessories constituting any such systems or forming part thereof, or connected therewith as described in the plan and book of reference and in the mortgage deed; and all the moveable and immoveable property, rights, concessions, advances, servitudes, rents, revenues and accessories aforesaid, may be judicially sold in the same manner as immoveables by the mortgages or the trustees mentioned in the said mortgage deed.

Effect of registration.

**36.** If any person shall, by any means or any manner or way whatsoever, obstruct or interrupt the free use of the said canals, flumes, or works, or the works connected therewith, or do damage thereto, or to any of the docks, piers, wharves, warehouses, sheds, buildings, tanks, cranes, weigh-beams, elevators, or other erections or works of the company, such person shall, for every such offence, incur a forfeiture or penalty of not less than five dollars, nor exceeding forty dollars, to be recovered before one or more justices of the peace for the district, one-half of which shall go to the prosecutor or informer, and the other half to Her Majesty, her heirs and successors, and shall be paid into the hands of the Treasurer of the Province and be applied for the public uses of the Province and the benefit of the Government.

Penalty on persons obstructing, &c., canals, &c.

In default of the payment of such fine within fifteen days of the rendering of the judgment, the person so condemned may be imprisoned for a period of not less than fifteen days and not more than two months, which imprisonment shall cease upon payment of the said fine with costs.

Imprisonment in default of payment.

**37.** If any person place, allow, suffer, or cause to be placed or facilitate the placing of any wire or other means of communication to connect with any wire or conductor belonging to the company, or in any way make use of, divert or facilitate to be made use of or diverted, the electric current or other production of the company, or interfere with the meters or other appliances of the company, without the latter's written consent, he shall forfeit and pay to the company the sum of not less than ten nor more than one hundred

Penalty on persons connecting with company's wires, &c., without consent.

dollars and also a further sum of four dollars for each day during which the acts of commission or omission above mentioned may exist, and in addition an amount equal to three times the value of the current used, the whole exclusive of all damage caused.

When person  
to be pre-  
sumed guilty.

Any of the above mentioned acts, whether of commission or omission, which may be found to have taken place, shall be held to have been done by the occupant or joint occupants of the premises where such acts have taken place, or by the user of the electric current obtained as aforesaid.

Penalty for  
wilful damage  
&c., to compa-  
ny's property.

**38.** If any person wilfully or maliciously break up, pull down or damage, injure, put out of order or destroy any wire, engine, pipe or plug used for an electric circuit, or any instrument, meter, lamp, post, abutment, pier, or the materials connected therewith, or any other works or apparatus, appurtenances or dependencies thereof, or any matter or thing made and provided for the purposes aforesaid, or any of the materials used and provided for the same, or ordered to be erected, laid down, or belonging to the company, or shall, in any wise wilfully do any other injury or damage, for the purpose of obstructing, hindering or embarrassing the construction, completion, maintaining or repairing of the works, or causes or procures the same to be done by others, or increases the supply of electricity or the number of lamps agreed for with the company, by increasing the number or size of the conducting wires, or using the electric current after having removed the apparatus belonging to the company, or in using such electric current unnecessarily, negligently or wastefully, such person shall incur, for the benefit of the company, a penalty of not less than ten nor more than one hundred dollars, together with costs; provided always that, in the event of the gas companies or municipal authorities deeming it advisable or necessary to do underground work which might expose any of the wires of the company, it shall be lawful for such gas company and such municipal authorities to do so without incurring the penalty above mentioned, if it give notice to the company, at its office, of its intention to perform such work, before commencing the same.

Power of com-  
pany to stop  
supply if rates  
not paid.

**39.** If any person supplied by the company, neglect to pay the rent, rate, or charges due to the company, at any of the times fixed for the payment thereof, the company or any person acting under its authority, on giving forty-eight hours' previous notice, may stop the supply to the person in arrear as aforesaid, by cutting off the pipes or wires and by any such other means as the company or its officers see fit, and the company may recover the rent or charges then due, together with the expenses of cutting off, notwithstanding any contract to furnish for a longer time.

**40.** In every case where the supply of water or electricity may be cut off or taken away from any house, building or premises, the company, its agents, or workmen, upon giving forty-eight hours' previous notice to the person in charge or the occupant, may enter into the house, building or premises, between the hours of nine o'clock in the forenoon and six in the afternoon, making as little disturbance or inconvenience as possible, and may remove and take away any wire, meter, motor, cock, branch, lamp, fittings or other apparatus, which are the property of the company.

Power to remove company's wires, &c., if supply has been stopped.

Any servant of the company, duly authorized, may, between the hours aforesaid, enter any house into which water or electricity has been taken from the company, for the purpose of repairing or examining any meter, wire, or apparatus belonging to the company or used for the water and electricity; and, if any person refuse, without reasonable cause, to permit or do not permit the servants or officers of the company to enter and perform the acts aforesaid, the person so refusing or obstructing shall, for every such offence, incur a penalty in favor of the company of forty dollars and the further penalty of four dollars for every day during which such refusal or obstruction continues, and in addition shall be responsible to the company for all actual damages suffered by reason of such refusal or obstruction.

Entry of company's servants into houses, &c., for such purpose.

Penalty for refusal.

This and the immediately preceding article shall not prevent any of the provisions therein contained being altered or modified by contract.

Proviso.

**41.** The wires, pipes, lamps, meters and other appliances and apparatus of any kind of the company shall not be subject or liable to rent or any other privilege, nor liable to be seized or attached in any way by the possessor or owner of the premises wherever the same may be, nor be liable in any way to any person for the debt of any other person to or for whose use, or for the use of whose household, building or premises the same may be supplied by the company, notwithstanding the actual or apparent possession thereof by such person, provided the landlord be previously notified of such installation.

Company's property not liable to seizure for rent, &c.

**42.** The company shall not be deemed to have exhausted any of its powers by the exercise thereof.

Company's powers not exhausted by use.

**43.** All penalties and forfeitures imposed by this act may be sued for and recovered with costs by the company, either before the Circuit or Superior Court, according to the amount demanded, or before one or more justices of the peace of the district where the offence has been committed.

Penalties how recovered.

**44.** The provisions of the Joint Stock Companies' General Clauses Act shall form part of this act, except in so

Law to apply.



far as they are in contradiction to, or inconsistent with any provisions of this act.

Act not to  
apply to cer-  
tain districts.

**45.** This act shall not apply to that part of the Province which forms the judicial district of Quebec, as fixed for the jurisdiction of the Court of Review.

Consent re-  
quired for cer-  
tain works.

**46.** Nothing in this act shall be construed as permitting the company to traverse or cross the Harbour of Montreal with any of its appliances, without having previously obtained the consent of the Harbour Commissioners of Montreal or the Governor General.

Existing  
rights not af-  
fected.

**47.** Nothing in this act shall in any manner affect any vested rights existing in favor of any other company.

## CAP. LXVI

An Act to amend and consolidate the act incorporating the Royal Electric Company, 47 Victoria, chapter 55, as amended by the acts 51-52 Victoria, chapter 116, 52 Victoria, chapter 47, 54 Victoria, chapter 76 and 55-56 Victoria, chapter 76

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** The Royal Electric Company has, by its petition, prayed that its act of incorporation, as amended, be further amended and consolidated and that its powers be increased; and whereas it is expedient to grant the said prayer;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

47 V., c. 55;  
51-52 V., c.  
116; 52 V., c.  
47; 54 V., c.  
76; 55-56 V.,  
c. 76, repeal-  
ed.

**1.** The act passed by the Legislature of this Province, 47 Victoria, chapter 55, as amended by the acts 51-52 Victoria, chapter 116, 52 Victoria, chapter 47, 54 Victoria, chapter 76, and 55-56 Victoria, chapter 76, is repealed and replaced by the present act.

Present com-  
pany substi-  
tuted to form-  
er one, &c.

**2.** The company hereby constituted is substituted to all intents and purposes for that which existed under the acts repealed by the foregoing article, and succeeds to it in all its rights, privileges, powers and obligations, and all its property and assets are hereby vested in this company, and this company shall be held to have assumed all its obligations or liabilities of every kind and nature.

By-laws, &c.,  
already made,

**3.** The by-laws of the company, bonds or debentures issued, agreements, contracts or other deeds, lawfully passed, adopt-

ed, consented to or made in virtue of the said acts repealed by &c., to continue in force.  
 article 1, shall continue to have the same force and effect  
 until cancelled, modified, replaced, repealed or executed  
 by or in virtue of the provisions of this act.

The present officers of the company shall remain in office until replaced in virtue of this act or of the by-laws. Present officers.

4. The present members of the company, and those who may hereafter become members thereof, in virtue of the provisions of this act, shall be and are constituted a corporation under the name of the "Royal Electric Company." Members constituted a corporation.  
 Name.

5. The head office of the company shall be in the city of Montreal. Head office.

6. The company shall have power to manufacture machinery, apparatus and instruments for the production, sale, distribution and utilization of electricity, and all machinery, apparatus and instruments whatsoever in connection therewith; to construct, maintain, complete and operate all necessary works for the production, sale, distribution, utilisation and supply of electricity, and to conduct such electricity through and under or along the sides of and across the streets, highways, bridges or water courses of towns, cities or other municipalities where the company shall carry on its operations, without doing any damage, and taking care, as far as may be, to preserve a free and uninterrupted passage through the said streets, highways, bridges, or water courses; provided that, in cities, towns and incorporated villages, the opening up of streets for placing posts or passing the wires underground shall be made under the direction and superintendence of the engineer or any other officer appointed by the council, in such manner as the council shall prescribe, and that the surface of the street shall, in all cases, be replaced in its former condition, by the company and at its expense, in default whereof such work shall be done by the municipality which shall recover the cost thereof from the company. Powers of company.

The company may purchase, sell or lease such machinery, apparatus and instruments, and rights relating thereto, and acquire by purchase, or lease or otherwise, any patents of invention of or affecting any of the same, or any improvements thereof.

The company may sell, lease, or otherwise dispose of such patents of invention, in whole or in part, and lease or grant rights thereunder.

7. The company shall have power to purchase, lease, or otherwise acquire and hold all such real estate, as may, from time to time, be deemed requisite for the purposes of &c., Power to acquire, &c., real estate, &c.

the company, and also to sell, lease or otherwise dispose of, and to mortgage, pledge or encumber such real estate, or any part thereof, from time to time, in such manner and on such terms and conditions as it may deem fit.

Board of directors.

**8.** The affairs of the company shall be managed by a board of nine directors, which number may, however, be increased or decreased by the by-laws of the company.

Powers of board.

**9.** The directors may enact by-laws for the regulation of the affairs and procedure of the company, including the number, qualification and remuneration of directors, the names and functions of the officers of the company, the transfer of shares, the time and place of shareholders' and directors' meetings, and generally all the details of the company's business.

By-laws to change capital into sterling and *vice versa*.

**10.** The directors may also, by by-laws, change or convert the shares or capital stock of the company from Canadian currency to sterling and *vice versa*, and even increase or decrease the par value of such shares.

Power to become shareholders, &c., in other light, &c., companies.

**11.** The directors may, in the name of the company, take and hold shares in any company furnishing light, motive power or any other advantage resulting from or in connection with electricity or its use, and generally in any company in payment or on account of rights or for privileges purchased, leased or otherwise acquired from this company, or in payment for apparatus or machinery or to save or protect some claim of the company; but no such acquisition of shares shall, at any time, exceed three hundred thousand dollars, unless the consent of the majority in value of the shareholders is obtained.

Capital stock.

**12.** The capital stock of the company is one million five hundred thousand dollars, its present paid up capital, divided into shares of the par value of one hundred dollars each.

Shares.

Increase of capital stock.

**13.** The directors of the company, if they see fit, at any time after the whole capital stock of the company shall have been allotted or paid in, but no sooner, may make any by-law for increasing the capital stock of the company to any amount which they may consider requisite for the due carrying out of the purposes of the company.

Approval by shareholders

No such by-law shall have any force or effect whatever until after it shall have been sanctioned by a vote of not less than two-thirds in amount of the shares held by the shareholders present or represented and voting at a general meeting of the company duly called for the purpose of considering such by-law, nor until a copy thereof duly authenticated,

shall have been fyled, as hereinafter mentioned, in the office of the Provincial Secretary, or such other officer as the Lieutenant-Gouverneur may direct.

Any by-law, for increasing the capital stock of the company, shall declare the number and value of the shares of the new stock, and may prescribe the manner in which the same shall be allotted, and, in default of its so doing, the control of such allotment shall be held to vest absolutely in the directors.

14. The company may, within six months after a duly authenticated copy of such by-law has been fyled in the office of the Provincial Secretary, or such other person as the Lieutenant-Governor in Council may have named for the purpose, require and cause a notice, under the signature of the Provincial Secretary or other proper officer, to be inserted in the *Quebec Official Gazette*, that such by-law has been passed and fyled as aforesaid, and stating the number and amount of the shares of new stock, the amount actually subscribed, and the amount paid in, in respect thereof; and, from the date of such notice, the new stock shall become subject to all provisions of law in like manner (as far as may be) as though the same had formed part of the stock of the company originally subscribed.

15. For the purpose of providing for the liabilities of the company at any time existing or for the purpose of redeeming its bonds or debentures or of providing any additional capital required, the directors, under the authority of the shareholders to them given at a general meeting specially called for the purpose, at which meeting shareholders holding at least four-fifths in value of the capital stock of the company are present or represented, and with the consent of the four-fifths in value of the shareholders thus present or represented, may issue preference stock to an amount not exceeding the liabilities of the company for the time being. The provisions contained in the above sections, 13 and 14, shall also apply to this section. Such stock shall be divided into shares of the par value of one hundred dollars each, and shall entitle the holders thereof to such right of priority over the non-preferred stock of the company in dividends or otherwise, as may be prescribed by the by-law authorizing the same.

2. The by-law authorizing the issue of preference stock shall also determine the rights, privileges and qualifications, if any, of holders of such stock for voting at meetings of the company or for being directors or for any other purpose.

3. The company shall have the right at any time to redeem and cancel such preference stock or any portion thereof, upon the terms and conditions stipulated and set forth in the by-law authorizing its issue.

Company may  
pledge such  
stock.     **4.** The company, instead of selling such preference stock, may pledge all or any thereof, at the best price and on the best terms and conditions at the time obtainable, to raise money for its undertaking, and, in that case, may issue the said preference stock as paid up.

Shares to be  
deemed pay-  
able in cash.     **16.** Every share in the capital of the company shall be deemed to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless the same shall have been otherwise agreed upon and determined by a contract duly made in writing, and filed with the Provincial Secretary, at or before the issue of such shares.

Proviso.

Power to bor-  
row money  
and issue  
bonds.

**17.** The directors of the company are hereby authorized, and power is hereby given them, to effect a loan or loans on bonds or debentures, not exceeding in the aggregate seventy-five per cent. of the paid up stock, common and preferred, of the company, at the time such loan or loans is or are effected, in such amounts and for such periods of time as they may deem expedient.

Form, &c., of  
bonds.

Such bonds or debentures shall be issued, under the signature of the president or vice-president and under the seal of the company, and shall be signed by the secretary for the amount or amounts so borrowed, and shall be payable either within the limits of the Province or elsewhere, either in current money or in sterling, with interest payable at definite periods, with or without coupons; and, if there be coupons, they shall bear the lithographed signature of the secretary; and such bonds or debentures shall become due at the dates and be drawn up in the form prescribed by a resolution of the directors.

When bonds  
may be issued.

Such bonds or debentures shall not be issued until such issue has been approved by at least two-thirds in value of the stockholders present or represented at a meeting of the company called for the purpose of considering such issue.

Form of  
bonds, &c.,  
provided  
those already  
issued, &c.,  
do not exceed  
certain pro-  
portion of the  
stock paid up.

**18.** Provided the total amount of bonds or debentures of the company at any time outstanding does not exceed seventy-five per cent. of the then paid up stock, common and preferred, of the company, the said directors may, by by-law approved of as aforesaid, whether to pay off former loans or bonds or debentures, or for any of the purposes aforesaid, effect as many loans, and make as many issues of bonds or debentures as they may think proper.

Trust deed  
may be exe-  
cuted as secu-  
rity for bonds.

**19.** As security for the payment of such bonds or debentures, the directors of the company are hereby authorized to grant a mortgage, by notarial deed, to one or more trustees in favor of the holders of such bonds or debentures, upon the immoveable property of the company, describing it as

required by law, and mentioning the issue and the amount of the bonds and debentures secured thereby; and such bonds or debentures shall further be a preferential charge upon the machinery, plant, rates, revenues, rights and other assets of the company.

**20.** It shall be lawful for the company to deposit in the office of the Commissioner of Colonization and Mines a plan and book of reference, certified by the secretary of the company, of any of its systems or works, indicating the systems and their location, and all information necessary to make the description thereof understood, and to designate such systems on the said plan and book of reference by one or more special numbers or designations different from the numbers and designations on the official plan of the cadastre of the municipality or municipalities in which such systems are situated, and the Commissioner of Colonization and Mines shall receive such plan and book of reference; and, if found correct, he shall send a certified copy to the registrar of the division or divisions in which such systems are situated.

Company may deposit plan of systems with Commissioner of Colonization and Mines.

Duty of Commissioner thereupon.

**21.** All changes, extensions and corrections in the said plan and book of reference may be made in the same manner.

Change in plans, &c.

**22.** The Commissioner of Colonization and Mines shall cause a notice to be published in the *Quebec Official Gazette* of the deposit of any plan and book of reference so transmitted to him by the registrar as aforesaid.

Notice of deposit to be published.

**23.** Such plan and book of reference, or any portion thereof, certified by the registrar, shall be received as evidence in all courts of justice.

Copy of plan, &c., certified by registrar to be evidence.

**24.** Every registrar, who receives the said plan and book of reference, shall make the ordinary entries thereof in his office books, and shall receive and register in the usual manner any deed of mortgage, transfer or other deed respecting the systems described in the said plan and book of reference.

Entries by registrar after receiving plans, &c.

**25.** By the registration of every such mortgage deed against all of the systems in the form above provided, a lien shall be established upon all moveable and immoveable property, rights, concessions, advances, servitudes, rents, revenues and other accessories constituting any such systems or forming part thereof, or connected therewith, as described in the plan and book of reference and in the mortgage deed; and all the moveable and immoveable property, rights, concessions, advances, servitudes, rents, revenues and accessories

Effect of registration of trust deed, &c.

aforesaid may be judicially sold in the same manner as immoveables by the mortgagees or the trustees mentioned in the said mortgage deed.

Penalty for making connections with company's wires, &c., without consent.

**26.** If any person place, allow, suffer, or cause to be placed, or facilitate the placing of any wire or other means of communication to connect with any wire or conductor belonging to the company, or in any way make use of, divert or facilitate the making use of or diverting the electric current or other production of the company, or interfere with the meters or other appliances of the company, without the latter's written consent, he shall forfeit and pay to the company the sum of one hundred dollars, and also a further sum of four dollars per day for each day during which the acts of commission or omission above mentioned may exist and, in addition, an amount equal to three times the value of the current used, the whole exclusive of all damage caused.

Any of the above mentioned acts, whether of commission or omission, which may be found to have taken place, shall be held to have been done or permitted to have been done by the occupant or joint occupants of the premises where such acts have taken place, or by the user of the electric current obtained as aforesaid.

Power to stop supply if rent not paid.

**27.** If any person supplied by the company neglect to pay the rent, rate or charge due to the company at the time fixed for the payment thereof, the company, or any person acting under its authority, on giving eight days' previous notice, may stop the supply to the person in arrears, as aforesaid, by any means the company or its officers may see fit to use; and the company may recover the rent or charges then due, together with the expenses of cutting off the electricity, notwithstanding any contract to furnish for a longer time.

Power of company's servants, &c., to enter premises to remove wires, &c., when supply has been cut off.

**28.** In every case where the supply of electricity may be cut off or taken away from any house, building or premises, the company, its agents or workmen, on giving forty-eight hours' previous notice to the person in charge or to the occupant, may enter the house, building or premises, between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, making as little disturbance as possible, and may remove and take away any wires, lamps, meters, motors and other appliances and apparatus which are the property of the company; and any servant of the company, duly authorized, may, between the hours aforesaid, enter into any house or premises in which electricity has been taken from the company, for the purpose of repairing or examining any such wires, lamps, meters, motors and other appliances and apparatus; and if any person refuse,

Penalty for refusing entry.

without reasonable cause, to permit the servants and officers of the company to enter and perform the acts aforesaid, he shall, for every such offence, incur a penalty, in favor of the company, of forty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction may continue, and, in addition, shall be responsible to the company for all actual damage suffered by reason of such refusal or obstruction.

**29.** The two preceding sections shall not prevent any of the provisions therein contained being altered or modified by contract. Contracts may vary certain provisions.

**30.** The wires, lamps, meters, motors and other appliances and apparatus of any kind of the company shall not be subject or liable to rent or any other privilege, nor liable to be seized or attached in any way by the possessor or owner of the premises wherever the same may be, nor be liable in any way to any person for the debt of any other person to whom or for whose use, or for the use of whose house, building or premises, the same may be supplied by the company, notwithstanding the actual or apparent possession thereof by such person, provided that previous notice of such installation has been given to the proprietor of the immoveables. Wires, &c., of company not liable to seizure, &c., for debts, &c., of certain persons.

**31.** The company shall not be deemed to have exhausted any of its powers by the exercise thereof. Powers not to be exhausted by exercise.

**32.** All penalties and forfeitures imposed by this act may be sued for and recovered with costs by the company, either before the Circuit or Superior Court, according to the amount demanded, or before one or more justices of the peace in the district where the offence has been committed. Recovery of penalties.

**33.** The provisions of the Joint Stock Companies' General Clauses Act shall form part of this act, except in so far as they are inconsistent with any provisions thereof. Law applicable.

**34.** Nothing in this act shall in any manner affect any vested right existing in favor of any other company. Certain vested rights not affected.

**35.** This act shall not apply to that part of the Province which forms the judicial district of Quebec as fixed for the jurisdiction of the Court of Review, nor to the counties of Ottawa and Pontiac. Act not to apply to certain part of the Province.

**36.** Nothing in this act shall be construed as permitting the company to traverse and cross the Harbour of Montreal Consent required for certain purposes.



with any of its appliances, without the previous consent of the Harbour Commissioners of Montreal, or the Governor-General in Council.

Coming into  
force.

**37.** This act shall come into force on the day of its sanction.

## CAP. LXVII

An act to incorporate The Electric Power Company of Montreal

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS Emilien Z. Paradis, advocate, Alexander Macdonald, manufacturer, both of the city of St. Johns, in the district of Iberville, the Honorable Joseph Emery Robidoux, advocate, Paul Paradis, engineer, both of the city and district of Montreal, Sophronie Marchesseau, of the city of Butte, in the State of Montana, one of the United States of America, have, by their petition, prayed to be incorporated for the purpose of developing, acquiring, possessing, operating, leasing and transmitting water, electric and steam power, and to make use of and to employ the same for the purpose of manufacturing, lighting and heating, for railways and tramways, and for all objects and industries wherein such powers may be employed, and it is expedient to grant the prayer of their petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Persons in-  
corporated.

**1.** Emilien Z. Paradis, advocate, Alexander Macdonald, manufacturer, both of the city of St. Johns, in the district of Iberville, the Honorable Joseph Emery Robidoux, advocate, Paul Paradis, engineer, both of the city and district of Montreal, Sophronie Marchesseau, of the city of Butte, in the State of Montana, one of the United States of America, and all others who shall become shareholders in the company hereby incorporated, are, by this act, constituted and declared to be a corporation and a body politic, under the name of "The Electric Power Company of Montreal."

Name.

General  
powers.

Such corporation shall have and shall continue to have perpetual succession and a corporate seal, which it may change and modify at will, and may sue and be sued, and appear before the courts as plaintiff and defendant in the same manner as other corporations may do.

Company may  
construct  
dykes, &c.,

**2.** The corporation hereinafter called "the company" may construct, and maintain dykes, dams, moles, locks and bar-

rages in the rapids of Sault St. Louis, on the river St. Lawrence, between l'Ile au Diable and the south shore of the river St. Lawrence and above and below l'Ile au Diable; take possession of the bed and of the beach of that portion of the river St. Lawrence for the purpose of constructing thereon the said works or other works necessary or useful for hydraulic powers and for industrial and manufacturing purposes; acquire, hold and possess all lands and moveable and immoveable rights necessary and useful for the purposes and objects of the company; make all constructions and do all the work at the Sault St. Louis Rapids that may be necessary and useful for the purpose of creating, developing and transmitting water, electric, steam, compressed air and other powers; employ, utilize, sell and lease the said lands and rights with or without hydraulic power; build and maintain warehouses, sheds, elevators, cranes, derricks and all buildings for manufacturing and industrial purposes; employ, utilize, sell and lease all hydraulic, electric or other power for the purposes of manufacturing light, heat, motive power for railways and tramways, and for all other objects to which such power may be applied; and enter into such contracts and exercise such other powers as may be necessary or useful for the aforesaid or similar objects, with the exception of constructing and operating railways and tramways.

**3.** The company shall have power to make all constructions and do all works for laying and installing the apparatus necessary for the transmission and distribution of power and electricity; for that purpose to lay and place in any direction whatever wires, cables, pipes, or other apparatus on poles above and under the ground, along or across all highways, streets and public or private roads, by obtaining the consent of the municipal corporations and individuals interested and if necessary upon or under private property by paying damages to the parties interested, and also in and upon any water-course in the Province, after having obtained the necessary authority therefor, and provided that the public be not impeded in the use of such roads or water-courses, and provided that navigation thereon be not interrupted, and that the municipal councils of cities, towns or incorporated villages, if they deem necessary, shall moreover have the right to superintend and determine the manner in which such streets, roads and highways shall be opened for the erection of poles or the laying of underground wires, and provided also that the surface of such streets and roads shall in all cases be restored to its original condition by the company and at its expense, as much as possible, and that the wires may be cut in case the same may become necessary for extinguishing fires by order of the chief of the fire brigade, in which case the company shall have no right to any com-

at a certain  
place, &c.

Company may  
make all con-  
structions ne-  
cessary for its  
works, &c.

compensation for the loss of such wires, but if the wires be cut, the company shall not be liable towards the consumers of electricity for the interruption or non-execution of the contracts that may result therefrom ; provided further that the said company shall permit any other company which has the right to erect poles and which shall grant reciprocal privileges to this company, to use its poles over and above what shall be required by this company, under such regulations as may be adopted by the municipal authorities, and the compensation therefor shall be fixed by arbitration.

Permission of Governor-General in Council required.

**4.** The company before erecting the dykes, dams and weirs above mentioned on the river St. Lawrence shall obtain permission from the Governor-General in Council.

Capital stock and shares.

Increase thereof.

**5.** The capital stock of the company shall be three million dollars, divided into thirty thousand shares of one hundred dollars each. It may be increased by resolution of the shareholders in general meeting assembled, provided the capital stock authorized by this section shall have been fully paid up.

Directors.

**6.** The affairs of the company shall be managed by a board of five directors, who must hold not less than fifty shares each in the capital stock of the company. The number of directors may be increased by the by-laws of the company.

Provisional board.

**7.** The provisional directors shall be the said Emilien Z. Paradis, Alexander Macdonald, Honorable J. E. Robidoux, Paul Paradis and Sophronie Marchesseau.

Head office.

The head office or principal place of business of the company shall be in the city and district of Montreal.

Company may acquire patents and patent-rights, &c.

**8.** The company may acquire the ownership or use of any patent or patent-right respecting electricity, gas or other light, or motive power, and may issue paid up shares in payment of such purchase, as well as of all operations for which it shall be bound to pay ; provided always that the payments and paid up shares shall not exceed the capital authorized.

Company may manufacture patented machinery.

Municipal corporations may aid company.

**9.** It may also manufacture patented machinery, of which it shall acquire the ownership.

**10.** Any municipal corporation may aid it by means of bonuses, loans, advances or by securing the payment of debentures or by granting it such privileges or exemptions as the council of such municipal corporation may deem expedient.

**11.** The company may dispose of the whole or of any part of its works and property, and all accessories thereof, including the power and privilege of continuing to work the same; or may join for the purpose of its operations with any person or company, acquire the rights, privileges and franchise thereof, and, for that purpose, may issue paid up shares in payment for the obligations so assumed and receive the same from other companies.

Company may sell property, &c., franchises, &c.

**12.** The company may purchase, rent or otherwise acquire and possess any immovable which may, from time to time, seem necessary for the object of its operations, and sell, lease or otherwise dispose thereof, or hypothecate, by mortgage or pledge, its immovables or a portion thereof in such manner and on such terms and conditions as to it may appear expedient.

Company may purchase, &c., real estate, &c.

**13.** The company may subscribe to or accept transfers or hold shares in the capital stock of any other company or corporation in payment or on account of all rights and other privileges purchased, leased or otherwise acquired from this company.

Company may hold shares in other companies.

**14.** If any person place or cause to be placed wires, pipes or other means of communication for connecting with the wires, pipes or conductors belonging to the company, or by any other means make use of the electric current, gas, or any other product of the company, without the latter's consent, he shall be condemned to a penalty not exceeding the sum of one hundred dollars in addition to a fine not exceeding the sum of four dollars for every day that such connection shall have existed.

Penalty on persons connecting with wires of company without consent, &c.

**15.** When a person receives from the company a supply of electricity, gas or other product and neglects to pay to the company the rents, tolls, or claims due on the dates fixed for the payment thereof, the company or any person who acts on its behalf, may, after a notice of forty-eight hours, suspend the introduction of electricity, gas or other product into the premises belonging to the person so in arrears, by interrupting the supply; the company may recover the rents or claims due at such date, as well as the expenses resulting from the suspension of the electricity, gas or other product before any competent court, notwithstanding any contract to supply for a further period; provided, however, that when certain electric, telephone, telegraph or gas companies or the municipal authorities consider it necessary to have underground work done, which may lay bare the wires of the company, such other companies or

Power to cut off supply of electricity, &c., if rates not paid, &c.

municipalities may execute such works, without incurring the fine above mentioned, by giving notice of their intention in that respect before commencing such works to the company at its office.

Company's  
wires, &c.,  
not liable to  
seizure for  
debts of third  
parties.

**16.** The wires, pipes, lamps or other apparatus belonging to the company shall not be liable for the payment of rent nor to seizure or garnishment by the possessor or proprietor of the premises on which they may be, nor liable in any way for the benefit of any one whomsoever for the payment of the debt of any other person to whom or for whose house or building the said supply may be given by the company, notwithstanding the real or apparent possession thereof by such person.

Company may  
enter premi-  
ses to take  
away wires,  
&c., when  
supply cutoff.

**17.** In all cases where the company may suspend and cut off the supply of electricity, gas or other product in all houses, buildings or dependencies, the company, its agents and workmen, after a previous notice of forty-eight hours given to the guardian or occupant of the house, building or dependencies, may enter therein between nine o'clock in the forenoon and six o'clock in the afternoon, causing as little disturbance as possible, and remove and take away the wires, pipes, meters, lamps, apparatus, and other accessories belonging to the company; and every person employed in the service of the company duly authorized may, between the hours aforesaid, enter any house or dependency where the company supplies electricity, gas or other product in order to repair or inspect the wires, pipes, meters, lamps or other accessories.

Penalty for  
refusing to  
allow ser-  
vants of com-  
pany to enter.

Whoever refuses, without reasonable motive, permission to the employees or officers of the company to enter to do such work, shall incur for each such offence a fine not exceeding forty dollars payable to the company and in addition a fine not exceeding four dollars for every day that such refusal or impediment shall continue.

Existing  
rights of other  
companies  
not affected.

**18.** Nothing in this act shall in any manner affect any vested right existing in favor of any other company, nor be interpreted as permitting the company to traverse or cross the Harbour of Montreal with any of its appliances, without the previous consent of the Harbour Commissioners of Montreal.

Law to  
govern.

**19.** The provisions of the joint stock companies' general clauses act shall form part of this act, except in so far as they may be contrary to or inconsistent with any of the provisions of this act.

**20.** This act shall not apply to that part of the Province which forms the district of Quebec as defined at present for the purposes of the jurisdiction of the Court of Review. Act not to apply to certain portions of Province.

**21.** This act shall come into force on the day of its sanction. Coming into force.

## C A P. L X V I I I

An Act to incorporate the Montreal Merchants' Telephone Company

[Assented to 15th January, 1898]

**W**HEREAS the Montreal Merchants' Telephone Company, incorporated by letters-patent of the Lieutenant-Governor of this Province, dated the 13th September, 1892, has, by petition, applied to be incorporated under the Joint Stock Companies' General Clauses Act, for the purpose of carrying on business generally in connection with telephones and electricity in the Province, and it is expedient to grant its prayer ; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The Montreal Merchants' Telephone Company, incorporated by letters-patent of the Lieutenant-Governor of this Province, dated 13th September, 1892, as well as all persons who now are or shall hereafter become shareholders in the said company are constituted a corporation, under the name of "The Montreal Merchants' Telephone Company." Certain persons incorporated. Name.

**2.** The corporation shall be subject to the operations of the Joint Stock Companies' General Clauses Act, except when the same may be contrary hereto or inconsistent herewith. Law to apply.

**3.** The head office of the company shall be in Montreal, and the directors may establish other offices at any place in this Province. Head office.

**4.** All the powers already conferred upon the company by its letters-patent are confirmed, and all the acts, contracts, transactions and obligations by it effected in the course of its operations shall be respected in such a manner as to bind third parties towards the company, and the company towards third parties, as regards such acts, contracts, transactions and obligations. Certain powers, &c, confirmed.

Capital stock  
and increase  
thereof.

**5.** The capital stock of the company shall be \$200,000.00, divided into shares of \$25.00 each, and such capital may be increased, from time to time, by a resolution of the board of directors, approved by the majority of the shareholders present at a general or special meeting regularly convened, provided that in all cases such increase shall not take place before one-half of the capital stock previously specified shall have been subscribed, and that the capital shall never exceed \$1,000,000.00.

Present direc-  
tors.

**6.** The directors now in office shall remain the directors of the company until the expiration of the term of office for which they were elected.

Composition  
of board.

**7.** The board of directors shall consist of five directors, at least, and fifteen, at the most, chosen from among the shareholders, holding the number of shares determined to that effect by the by-laws of the company.

General busi-  
ness of com-  
pany, &c.

**8.** The company may manufacture all apparatus in connection with telephones and telegraphs, purchase or rent, and sell or lease the same, with all the rights connected therewith.

It may likewise acquire or rent, sell or lease, manufacture and work all patents, apparatus or franchises connected with electricity, telephones and telegraphs.

It may dispose of the whole or of any part of its line and of all the accessories thereof, including the power and privilege of continuing to work the same, or may amalgamate for the purpose of its operations with any telephone company, acquire the rights, privileges and franchise thereof, and, for that purpose, may issue paid up shares in payment for the obligations so assumed or receive the same from other companies.

Power to  
borrow.

**9.** The company may borrow, from time to time, at such rates of interest as may be determined by the directors, one or more sums of money, not exceeding two-thirds of the whole value of its property, either upon mortgage or by pledging the property of the company or by bonds.

Security may  
be given.

For such purpose, the directors, on a resolution approved by the majority of the shareholders present at a general or special meeting duly convened, are authorized to consent, as security for such loans, to any mortgage or pledge of the moveable and immoveable property of the company, as they may deem proper, or issue bonds which shall constitute a first lien and privilege on all the moveable and immoveable property of the company; provided always that all pledges, privileges and bonds already in existence shall in no wise be prejudicially affected thereby, and that such bonds shall be first applied to the redemption and payment of the bonds and guaranteed loans heretofore issued and effected by the company.

Issue of  
bonds.

The bonds shall all be of the same rank, and shall be issued for sums of not less than one hundred dollars each. Ranking, &c., of bonds.

**10.** The board of directors may refuse to register the transfer of the shares of any shareholder who is indebted towards the company, and the company may, by privilege, pay itself out of the shares of the shareholders for all arrears which may be due to it for subscriptions or rent of its telephones. Power of board respecting transfers of shares, &c.

**11.** The wires, apparatus and telephone boxes belonging to the company and placed with third parties, shall not be liable to seizure for the debts of the person who shall have leased the same, or who may otherwise have precarious possession thereof, and, in such case, the company shall always have power to remove them from where it may have placed them. Wires, &c., not liable to seizure.

**12.** All resolutions passed by the council of the city of Montreal authorizing the company to do any work are hereby ratified and confirmed; but the company shall not exercise any other rights or powers, hereby conferred, on the streets or public roads of Montreal or any other municipality without having first obtained the consent of the council of the said municipality. Certain resolutions confirmed, and consent required for certain purposes.

**13.** This act shall come into force on the day of its sanction. Coming into force.

## CAP. LXIX

### An Act to incorporate the Beauce Telephone Company

[Assented to 15th January, 1898]

**WHEREAS** the persons hereinafter mentioned have, by their petition, represented that they desire to be incorporated with power to add to their number, and with the powers necessary for the purposes of their corporate existence, and it is expedient to grant their prayer; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The Honorable Joseph Bolduc, Henri S. Béland, Taschereau Fortier, Pierre Ferdinand Renault, Auguste Pacaud, Joseph Cloutier, Aurèle Nadeau and all others who may become shareholders of the corporation hereby created, are by this act constituted a body politic and corporate, under the name of the "Beauce Telephone Company." Persons incorporated. Name.



Head office  
and change  
thereof.

2. The principal place of business of the company shall be in the village of St. Joseph de la Beauce ; but it shall be lawful for the directors to change and transfer the same to any other of the parishes along its line, by giving notice of such change each time in the *Quebec Official Gazette*.

Object and  
powers of the  
company.

3. The object of the company is to establish lines of communication by telephone between Sherbrooke and Quebec, passing through the counties of Sherbrooke, Compton, Beauce, Dorchester and Levis, and also to continue and put in operation branch lines connecting with the main line such places as the company may be pleased to select ; provided that such places be situated within the limits of the counties above mentioned, and of the county of Lotbinière ; and for that purpose, it shall have power to manufacture, purchase or lease telephone and other apparatus and instruments necessary for operating them ; to purchase, lease, and maintain lines for the transmission of messages by telephone ; for that purpose to place itself in communication and to unite with any lines of telephone or telegraph already in existence or which may hereafter be constructed ; to purchase, or lease for such time as it may deem advisable, any telephone line already established or to be established in the Province, and to enter into the necessary agreement with any company or person owning telegraph, telephone or electric light lines for the transmission of its messages over such lines, on such terms and conditions as the company may deem advantageous.

Power to  
erect, &c.,  
telephone  
lines. &c.

4. The company may erect, construct and maintain its telephone lines along, across, above and below public roads, streets, bridges and water-courses, without in any way impeding public traffic ; but, in cities, towns and incorporated villages, the poles that it may erect for such purpose shall not be more than forty feet high above the street, nor shall the wires be strung at a height less than twenty-two feet above the street, the said poles shall further be perpendicular and as straight as possible, and only one line shall be put up along the streets except with the special consent of the municipal authorities ; provided that, in the event of its becoming necessary to make trenches or excavations for erecting the poles or for laying the wires underground, the work shall be done under the direction of the engineer or officer appointed for that purpose by the municipal council, keeping as much as possible the passage of the street free and without obstruction and taking all the necessary precautions to avoid accident, and that the company shall, at its own expense, put the premises in the same state as they were in before the said works were performed ; provided also that if it should become necessary, in case of fire and for the preservation of property, to cut or break, in

any manner, the wires and poles of the company, the latter shall have no recourse for damages when such damage shall have been caused by the act of the municipal authorities or the fire brigade for the purposes above mentioned.

None of the works authorized by the present act shall be commenced before the consent of the municipal authorities has been previously obtained, and such works shall be performed under the direction of a special officer of the said council.

When works  
to be com-  
menced.

5. The capital stock of the company shall be fifty thousand dollars, divided into one thousand shares of fifty dollars each.

Capital stock  
and shares.

It may be increased to one hundred thousand dollars, after the whole of the said capital shall have been subscribed, and at least fifty per cent. paid up thereon, by simple resolution of the board of directors, with the consent of the majority in value of the shareholders present or duly represented by proxy at a general annual meeting, or at a meeting specially called for that purpose.

Increase  
thereof.

6. The affairs of the company shall be managed by a board of five directors, each of whom must be the owner and possessor of at least ten shares and have paid all calls thereon, and three members of the board present shall constitute a quorum.

Board of  
directors.

Quorum.

The number of directors may be increased to seven or to nine, and in such case the quorum shall be five.

Increase in  
number of  
directors.

7. The provisional directors shall be the said Joseph Bolduc, Taschereau Fortier, Pierre Ferdinand Renault, Henri S. Béland and Auguste Pacaud, and they shall remain in office until the first election of directors.

Provisional  
directors.

8. The directors may open and keep stock-books, obtain subscriptions to the capital stock of the undertaking, receive instalments on stock subscribed, and deposit in any bank the moneys received by them on account of the capital subscribed.

Power of  
directors.

9. The capital of the company shall not, however, be increased without the first subscribers to the first issue of the capital stock being entitled, in preference to all other persons, to subscribe to the new stock proportionately to the number of shares they shall hold in the original capital.

Conditions of  
increase of  
capital stock,

10. The company shall have the right to place its telephone line in communication with the cities of Quebec and Sherbrooke, in so far as this Legislature may permit ; and it

Right to place  
telephone  
line in con-  
nection with

cities of Quebec and Sherbrooke, &c.

shall also have the right to place its telephone line in communication and connection with any electric company that may consent thereto, subject to the provisions of section 4 of this act.

Power to purchase, &c., moveable and immoveable property.

**11.** The company shall have full power and authority to purchase, lease, exchange, or otherwise acquire, possess and administer all moveable and immoveable property required for the purposes of its existence; and the same to sell, alienate, lease, hypothecate, and generally to perform all acts necessary for the objects of its existence.

Power to borrow and to issue mortgage bonds.

**12.** The company may borrow such sum of money as the directors may deem necessary, not exceeding fifty per cent. of the amount of the capital subscribed and paid up, and to that end may issue bonds of not less than one hundred dollars each, bearing the seal of the company and signed by the president and countersigned by the secretary.

Amount of and interest on bonds, &c., and when and where payable.

Such bonds shall be for such amount and bear such rate of interest as may be lawfully stipulated, and shall be made payable at such dates and at such places as the directors may deem advisable for the attainment of any of the objects of this act.

Coming into force.

**13.** This act shall come into force on the day of its sanction.

## C A P. L X X

An Act to incorporate the Shawinigan Water and Power Company

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** William Strachan, gentleman; Chas. Archer, advocate; David Russell, gentleman; William Barclay Stephens, gentleman; Herbert S. Holt, gentleman, all of the city of Montreal; William Farwell, gentleman, of the city of Sherbrooke; William Mitchell, gentleman, of the town of Drummondville, William Wainwright, of the city of Montreal, gentleman; and John Joyce, of the city of Boston, in the State of Massachusetts, one of the United States of America, have, by their petition, prayed that they and their legal representatives might be incorporated for the purpose of creating water-powers and constructing dams, and purchasing or erecting bridges upon the banks of and over the River St. Maurice, at and in the neighborhood of Shawinigan Falls, and for the erection and working of manufacturing establishments, water-works and work-shops for making

electrical apparatus and producing electricity for lighting and for motive power; and it is expedient that the prayer of their petition be granted;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. William Strachan, Chas. Archer, David Russell, William Barclay Stephens, Herbert S. Holt, William Farwell, William Mitchell, William Wainwright, John Joyce, and such other persons as may become shareholders in the company incorporated by this act, shall be and they are hereby constituted and declared to be a corporation, body corporate and politic, by the name of "The Shawinigan Water and Power Company." Persons incorporated.

Such corporation shall continue and shall have perpetual succession and a corporate seal, with power to alter and change the same at pleasure. General powers.

It may sue and be sued, plead or be impleaded in all courts as other corporations may do. May sue or be sued.

It shall have power to acquire and hold real or immoveable estate, for the purpose of its business, and may sell, alienate, exchange, and let or lease the same. Company may hold real estate, &c.

2. The said corporation, hereinafter called the "company," shall have power to erect, construct and maintain a dam or dams on the right or northwest bank of the River St. Maurice, at or in the neighborhood of Shawinigan Falls; to conduct water from the said river, by canals or flumes, to be made by the company at any place on the said rapids along the said bank thereof, for hydraulic and manufacturing purposes; to construct all necessary locks, piers and other works on the said canals; to enter and take possession of the bed and beach of the said river, at the entrance of the said canals or flumes, also for the foundations of the same, in their entire length, and at any point at which it may be found expedient to provide an outlet or outlets for the waters of such canals or flumes, or tail-races for water powers taken from the said canals or flumes or to deliver water on the wheels or build a power house or power houses; to enter upon and survey all lands on the line of the said rapids; from time to time, to purchase, acquire, hold and enjoy all lands necessary for the said purposes and for such ditches as may be along the same, and for a road on either or both sides thereof; to make all bridges, intersections, crossings, whether through, under or upon public or private roads, or any aqueduct or canal; and to erect on the main channel of the said river, between the island known under the No. 1052 of the cadastre of the parish of Mont Carmel and the island known as lot No. 637 of the cadastre of the parish of Ste. Company may erect dams, &c., in certain places, &c.

Flore, and between the said islands and the said right or northwest bank of the said river, all necessary dams, piers, wharves, flumes or other works, to secure the necessary supply of water for the said works.

When section comes into force.

This section shall not come into force until after the company shall have legally acquired the lands and rights required for that object, by expropriation or otherwise.

Head office.

**3.** The head office of the company shall be at the city of Montreal, or at such other place in the Province of Quebec as the directors of the company, from time to time, by by-law, determine ; but the company may establish other offices and places of business in other provinces of Canada and elsewhere.

Branches.

Provisional directors.

**4.** The persons named in the first section of this act shall be the provisional directors of the company, four of whom shall form a quorum.

May open stock books, &c.

Such directors may open stock books and procure subscriptions of stock, and shall deposit the payments thereon in a chartered bank in Canada, and withdraw the same for the purposes of the company only.

Absent provisional directors may vote by proxy.

The provisional directors resident out of Canada may vote and act as such provisional directors by proxy or power of attorney, and the holders of such proxies need not be provisional directors of the company.

Capital stock, shares and calls.

**5.** The capital stock of the company shall be six million dollars divided into shares of one hundred dollars each, and may be called up from time to time by the directors as they deem necessary.

When first general meeting to be held.

**6.** When and so soon as five hundred thousand dollars of the capital stock of the company have been subscribed and ten per cent. of that amount has been paid into some chartered bank in Canada, or paid by transferring to two trustees for the company real estate and water power rights to an amount of fifty thousand dollars, the first general meeting of the company shall be held in the city of Montreal, at such time as the provisional directors, or any four of them determine. Notice of such meeting shall be given by mailing, at least ten days before the holding of such meeting, a written notice of such time and place, postage prepaid and registered to the address of each shareholder of the company.

Notice therefor.

Election of directors.

**7.** At the first general meeting of the company and at each annual meeting, the subscribers for capital stock present or represented by proxy, who have paid all calls due on their shares, shall choose, to be directors of the company, not

less than three or more than nine persons, each of whom shall hold at least ten shares of the capital stock of the company. Qualification of directors.

The directors elected at the said meeting shall hold office only until the first annual meeting of the company. Term of office of directors.

The number of directors may be changed, from time to time, by vote of the shareholders at any general meeting of the company. Change in number of directors.

**8. The company may :**

(a) Use, sell, dispose of, or lease water from the said flumes, dams, or canals, which may be found useful and applicable to drive any machinery in mills, warehouses and manufactories ; purchase, acquire, hold or possess lands along the sides of the said flumes, dams or canals on either sides or both sides thereof and down to the said river ; sell, dispose of or let and lease the said lands, with or without the water-power, on such terms and conditions as it may think fit ; construct and maintain stores, warehouses, sheds and other buildings for the reception and storing of goods ; and construct elevators, cranes and weigh-beams, and all such other works and erections as shall be requisite to give effect to the full intent and meaning of this act ; Company may :  
Use, &c., water from flumes, &c. ;

(b) Use, sell, dispose of, or lease the surplus water from the flumes, dams or canals, which it will not require, but which might be found useful and applicable to drive machinery in mills, warehouses and manufactories ; and purchase, acquire, hold or possess lands along the sides of the flumes, dams or canals on either side or both sides thereof and down to the river ; and sell, dispose of, or let and lease the said lands, with or without the water-power, on such terms and conditions as it may think fit ; Use, &c., surplus water, &c. ;

(c) Manufacture, supply, sell and dispose of gas and electricity for the purpose of light, heat or motive power, and any other purpose for which the same may be used ; and deal with, manufacture and render saleable and sell or otherwise dispose of coke, coal-tar, pitch, asphaltum, ammoniacal liquor and other residual products arising or to be obtained from the materials used in the manufacture of gas ; Manufacture, &c., gas, &c. ;

(d) Manufacture and sell calcium carbide and all by-products produced in its manufacture ; acetyline gas and any and all other gases and products manufactured from calcium carbide ; Manufacture, &c., calcium carbide, &c. ;

(e) Acquire, manufacture, construct, erect, lay, maintain and operate all works for holding, receiving and purifying gas, and all other buildings and works, structures, apparatus, meters, pipes, wires, appliances, fittings, supplies and machinery necessary or advisable in connection with the said business, and deal with or dispose of the same in any manner that the directors deem advisable ; Acquire, &c., works for gas and other works ;

Acquire, &c.,  
patents of in-  
vention, &c. ;

Acquire, &c.,  
franchises of  
other compa-  
nies, &c. ;

Construct  
coke-ovens,  
&c. ;

Grant licen-  
ses, &c., to  
any person to  
use patents,  
&c. ;

May enter  
upon high-  
way, &c., to  
erect poles,  
&c., with con-  
sent of munic-  
ipal autho-  
rities, &c.

Public right  
of travel not  
to be inter-  
fered with.

Wires to be  
certain height  
over road and  
only one line  
of poles unless

(f) Acquire by purchase, license or otherwise, and use, license or otherwise dispose of any invention, or letters-patent, or any right to use, or employ any inventions in connection with the production, manufacture or supply of heating, motive and illuminating gas or electricity, or any of the residual products thereof ;

(g) Acquire and operate the works, stock, property, franchises, assets and business of any person or company, whether incorporated or not, authorized to carry on any business comprised in the subjects of this act, or enter into any arrangements for such purpose or in connection therewith, and assume the liabilities of such person or company, in respect thereof ; and acquire, hold or dispose of the whole or any part of the shares, debentures, and securities of such person, or company, with which the company has entered into an arrangement or contract ;

(h) Construct furnaces, coke-ovens, tramways, wharves, docks, offices and all necessary buildings, and purchase, hire, build and repair steam and other vessels for the purposes of the company ;

(i) Grant licenses to any person, company, or municipal corporation to use any patent, license or right held and owned by the company ; receive payment therefor, either in cash, or in bonds or debentures or in fully paid up shares of the capital stock of any other such company or corporation ; and to such an extent become a shareholder in any such company.

9. With the consent of the municipal council or other authority having jurisdiction over any highway or public place, the company may enter thereon for the purpose of constructing and maintaining lines for electric wires, pipes for conduits, on poles or beneath the soil, for the conveyance of electric power, and, when deemed necessary, by the company for the purpose of its system for supplying electric power, may erect and maintain poles and other works and devices, and stretch wires and other electrical contrivances thereon ; may also, with such consent, enter upon any highway or public place for the purpose of laying and maintaining pipes for the conveyance of gas ; and supply gas and electricity to any municipal corporation, or to any incorporated town or village, and, as often as the company thinks proper, enter upon, use, break up and open any highway or public place, subject, however to the following provisions :

(a) The company shall not interfere with the public right of travel, or in any way obstruct the entrance to any door or gateway, or free access to any building ;

(b) The company shall not permit any wire to be suspended less than twenty-two feet above the level of the street or highway, nor, without the consent of the municipal

council, erect more than one line of poles along any highway ; with consent of authorities.

(c) All poles shall be, as nearly as possible, straight and perpendicular, and shall be painted, if so required by any by-law of the council ; Poles to be straight, &c.

(d) The company shall not be entitled to damages on account of its poles or wires being cut by direction of the officer in charge of the fire brigade at any fire, if, in the opinion of such officer, it is advisable that such poles or wires be cut ; Company not entitled to damages if poles, &c., cut.

(e) The company shall not cut down or mutilate any shade, fruit or ornamental tree ; Shade trees not to be cut down, &c.

(f) The company shall not erect any dams across the river St. Maurice, nor do anything affecting the navigation of the said river, without the authority or consent of the Government or of the Parliament of Canada first obtained ; Consent of Federal authorities required.

(g) The opening up of streets for the erection of poles, or for carrying wires or pipes under ground, shall be subject to the direction and approval of such person as the municipal council appoints, and shall be done in such manner as the said council directs ; the council may also designate the places where such poles shall be erected ; and the streets shall, without any unnecessary delay, be restored, as far as possible, to their former condition, by and at the expense of the company ; Opening of streets, &c., to be under municipal supervision.

(h) In case efficient means are devised for carrying telegraph or telephone wires under ground, no act of the Legislature requiring the company to adopt such means, and abrogating the right given by this section to carry lines on poles, shall be deemed an infringement of the privileges granted by this act, and the company shall not be entitled to damages therefor ; Legislation requiring wires to be placed under ground not to be an infringement of company's privileges, &c.

(i) Every person employed upon the work of erecting or repairing any line or instrument of the company shall have conspicuously attached to his dress a badge, on which are legibly inscribed the name of the company and a number by which he can readily be identified ; Badge to be worn by company's workmen

(j) If, for the purpose of removing buildings or in the exercise of the public right of travel, it is necessary that the said wires or poles be temporarily removed, by cutting or otherwise, the company shall, at its own expense, upon reasonable notice in writing from any person requiring it, remove such wires or poles ; and, in default of the company so doing, such person may remove such wires and poles at the expense of the company. The said notice may be given either at any office of the company, or to any agent or officer of the company in the nearest or any adjoining municipality to that in which such wires or poles are ; Company to remove wires, &c. if thereto required by notice.

(k) The company shall be responsible for all unnecessary damage which it causes in carrying out or maintaining any of its said works. How notice to be given. Company responsible for certain damages.



Company may  
borrow money  
and issue  
bonds, &c.,  
when author-  
ized by share-  
holders.

**10.** The directors may, whenever authorized by a by-law for that purpose approved by the votes of holders of at least two-thirds in value of the subscribed stock of the company, present or represented by proxy at a special general meeting called for considering such by-law, borrow such sums of money, not exceeding in amount seventy-five per cent. of the paid up capital stock of the company, as the shareholders deem necessary. They may issue bonds or debentures therefor in sums of not less than one hundred dollars each, at such rate of interest and payable at such times and places, and secured in such manner by mortgage or otherwise upon the whole or any portion of the property and undertaking of the company as may be prescribed in such by-law or decided upon by the directors under the authority thereof. The company may make such provision respecting the redemption of such securities as may be deemed proper.

Power to issue  
paid up  
shares in pay-  
ment of fran-  
chises, &c., of  
other compa-  
nies, &c.

**11.** The directors may issue, as paid up stock, shares of the capital stock of the company in payment of and for all or any of the businesses, franchises, undertakings, properties, rights, powers, privileges, letters-patent, contracts, real estate, stock and assets, and other property of any person, company or municipal corporation which the company may lawfully acquire in virtue of this act, and may allot and hand over such shares to any such person, company or corporation or to its shareholders, and issue, as paid up and unassessable stock, shares of the capital stock of the company, and allot and hand over the same in payment for right of way, lands, rights, plant, property, letters-patent of invention, rolling stock or materials of any kind, or services rendered to the company; and any such issue and allotment of stock shall be binding on the company, and such stock shall not be assessable for calls, nor shall the holders thereof be liable in any way thereon; and the company may pay for any such property or services rendered to the company wholly or partly in paid up shares or wholly or partly in debentures as the directors may deem proper.

Shares to be  
paid in cash.

Proviso.

**12.** All shares in the company shall be deemed to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless it has been otherwise agreed upon or determined by a contract duly made in writing and filed with the Secretary of State at Ottawa and at the office of the Provincial Secretary at Quebec, at the time of or before the issue of such shares.

Increase of  
capital stock.

**13.** After the whole of the capital stock hereby authorized has been issued and fully paid up, the capital stock of the company may be increased, from time to time, to an amount not exceeding ten million dollars, by a resolution of the

shareholders passed and approved of by the votes of the holders of at least two-thirds in value of the subscribed stock of the company, present or represented by proxy, at a special general meeting of the shareholders duly called for considering the same, and such increased capital stock may be issued and shall be dealt with in the same manner as the original capital of the company.

**14.** The directors may, from time to time, with the consent of a majority of the shareholders, present or represented by proxy, at a meeting called for such purpose, issue debenture stock, which shall be treated and considered as a part of the regular debenture debt authorized by section 10 of this act, in such amounts and manner, on such terms and bearing such rate of interest as the directors, from time to time, think proper, but subject to the limitations in this act provided, so that the amount borrowed on the security of debenture bonds or debenture stock, shall not in the whole exceed seventy-five per cent. of the paid up capital stock of the company.

Issue of debenture stock authorized.

**15.** The company shall cause entries of the debenture stock from time to time created, to be made in a register to be kept for that purpose at the head office, wherein shall be entered the names and addresses of the several persons, from time to time, entitled to the debenture stock, with the respective amounts of the stock to which such persons are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, debenture stockholder and shareholder of the company, without the payment of any fee therefor.

Entry of debenture stock in register, &c.

Inspection of such registers.

**16.** All transfers of the ordinary and debenture stock of the company shall be registered at the head office of the company, but the company may have transfer books of such stock in Great Britain and Ireland and the United States of America, or elsewhere, in which transfers of the said stock may be made; but all such transfers shall be entered in the book to be kept at the head office of the company.

Transfer of stock how registered, &c.

**17.** The company shall, if required, deliver to every holder of debenture stock, a certificate stating the amount of debenture stock held by him and the rate of interest payable thereon; and all regulations and provisions for the time being applicable to certificates of shares of the capital stock of the company, shall apply, *mutatis mutandis*, to certificates of debenture stock.

Certificates to holders of debenture stock, &c.

The directors may, with respect to the issue of certificates of debenture stock, delegate the powers of the company to

Power to delegate to agents.

agents and attorneys or to any corporation organized for the purpose of transacting such business.

Privileges,  
&c., of de-  
benture stock  
holders.

**18.** The holders of debenture stock shall not be entitled as such to be present or to vote at any meeting of the company, nor shall such stock confer any qualification ; but it shall, in all respects, not otherwise provided for by or under this act, be considered as entitling the holders to the rights and powers of mortgagees of the undertaking, except the right to require repayment of the principal money paid up with respect to the debenture stock.

Conversion  
of mortgage,  
&c, bonds  
into debenture  
stock.

**19.** The company may make such arrangements and regulations respecting the conversion and exchange of its mortgage bonds and debentures into and for debenture stock, and for the reexchange and reconversion of the same by the respective holders thereof, as are deemed expedient.

Bonds, &c., in  
what cur-  
rency issued.

**20.** The mortgage bonds, debentures and debenture stock of the company may be issued either in Canadian currency or in sterling, or in both, at the option of the company.

Power to re-  
ceive aid,  
&c.

**21.** The company may receive from any government, or from any person, city, town, municipality or village, whether incorporated or not, and having power to make or grant the same, in aid of the construction, equipment and maintenance of the said works, grants of lands, exemption from taxation, loans, gifts of money, guarantees and other securities for money, and may hold and dispose of the same for the purposes of the company.

Penalty on  
persons inter-  
fering with  
company's  
works, &c.

**22.** If any persons shall, by any means or in any manner or way whatsoever, obstruct or interrupt the free use of the said canals, flumes, or works, or the works incidental or relative thereto, or connected therewith, or do damage thereto, or to any of the docks, piers, wharves, warehouses, sheds, buildings, tanks, cranes, weigh-beams, elevators, or other erections or works of the company, such persons shall, for every such offence, in addition to paying the company the actual amount of damage caused, incur a forfeiture or penalty of not less than five dollars, nor exceeding forty dollars, to be recovered before one or more justices of the peace for the district ; one half of such penalty shall go to the prosecutor or informer, and the other half to Her Majesty, her heirs and successors, and shall be paid into the hands of the Treasurer of the Province, and be applied for the public uses of the Province and the benefit of the Government.

Imprison-  
ment in de-  
fault of pay-  
ment of fine.

In default of the payment of such fine, within fifteen days from the rendering of the judgment, the person so condemned may be imprisoned for a period of not less than fifteen days

and not more than two months, which imprisonment shall cease upon payment of the said fine with costs.

**23.** Before commencing the laying of wires or the erection of flumes, the company shall be bound to make, to the Commissioner of Public Works, a report of the works which it proposes to undertake, and send a copy of the same to the municipal council of the municipality in which the projected works are to be made, or if it happen that such works are situate in more than one municipality, then to the municipal council of each municipality, within the limits of which the projected works are situated.

Before commencing operations, company to make a report to Commissioner of Public Works, &c.

**24.** The company shall so construct and locate its works, and all apparatus and appurtenances thereunto belonging or appertaining, so as not to endanger the public health and safety.

Public health and safety not to be endangered.

The works, apparatus and appurtenances shall, at all reasonable times, be subject to the visit and inspection of the municipal authorities of the municipality, within the limits whereof they are situate, reasonable notice thereof being previously given to the company.

Works to be subject to inspection of municipal authorities.

The company, their servants and workmen shall, at all times, obey all just and reasonable orders and directions they shall receive from the municipal authorities in that respect.

Company, &c., to obey orders from municipal authorities.

**25.** If any person lay, or cause to be laid, any wire or electric conductor, so as to connect with those belonging to the company, or in any way obtains or uses its electric current in any manner whatsoever, without the consent of the company, he shall be condemned to pay to the company a sum of four dollars for each day during which such communication remains.

Penalty for communicating with company's wires without consent.

**26.** If any person, supplied by the company with water or electricity, neglect to pay the rent, rate or charge due to the company, at any of the times fixed for the payment thereof, the company, or any person acting under its authority, on giving forty-eight hours' previous notice, may stop the supply of water or electricity or power from entering the premises of the person in arrear as aforesaid, by cutting off the service pipe or wires, or by any other such means as the company or its officers see fit, and may recover the rent or charge then due, together with the expenses of cutting off the water or electricity, notwithstanding any contract to furnish electricity or water or power for a longer time.

Company may stop supply of water, &c., if rates not paid.

**27.** In all cases where the company may lawfully cut off and take away the supply of water and electricity from any house, building, or premises, the company, its agents and

When supply is stopped, company may remove wires,

&c., after notice.

workmen, upon giving forty-eight hours' previous notice to the person in charge or to the occupant, may remove and take away any wire, meter, cock, branch, lamp, fittings or apparatus which are the property of and belong to the company.

Company's servants may enter premises for such service.

Penalty for refusal of permission.

Any servant of the company, duly authorized, may, between the hours aforesaid, enter any house into which water or electricity has been taken, for the purpose of examining any meter, wire, or apparatus belonging to the company or used for the water and electricity; and if any person refuse to permit or do not permit the servants and officers of the company to enter and perform the acts aforesaid, the person so refusing or obstructing shall, for every such offence, incur a penalty in favor of the company of forty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction remains.

Powers of company to cease after certain time, if works not commenced.

**28.** The powers granted to the company by this act shall cease entirely, if its works are not commenced, within five years from the coming into force of this act.

Power to expropriate land for company's purposes.

**29.** The company is authorized to expropriate, on the said St. Maurice River, such land adjacent to or connected with the water powers on such river, at or near the said Shawinigan Falls, as may be required for installing machines, and buildings and for flumes to carry the water to the power house, or power houses to be erected for the development of such power; and also to expropriate land and right of way for the installation of a line to carry electricity from the Shawinigan Falls to any point.

Power under 60 V., c. 77, s. 20, not interfered with.

**30.** No power granted by this act shall detract from, or in any way prejudice the rights, privileges, and franchises set forth and confirmed by section 20 of the act of incorporation of the North Shore Power Company, 60 Victoria, chapter 77.

Power to construct tramways, &c., limited, &c.

**31.** Notwithstanding anything in the present act contained, the company shall not have the power of constructing, acquiring or operating tramways in the districts of Three Rivers and Quebec, the Island of Montreal and on the south shore of the St. Lawrence or conducting electricity within the counties of Quebec, Montmorency, Charlevoix, Portneuf, Lotbinière, Levis and Ottawa.

Laws governing expropriations.

**32.** The expropriation shall be effected in accordance with the provisions of the Revised Statutes of Quebec governing Railways and the Expropriation Act.

When expropriation to be commenced.

As regards the expropriation of the land required for the development of hydraulic power, it shall be commenced

within a delay of one year from the date of the coming in force of this act.

**33.** This act shall come into force on the day of its sanc- Coming into force.  
tion.

## C A P. L X X I

An Act to amend the Act 60 Victoria, chapter 77, incorporating the North Shore Power Company

[Assented to 15th January, 1898]

**W**HEREAS the North Shore Power Company has petition- Preamble.  
ed for an act to amend its act of incorporation, for the purpose of increasing its borrowing powers, and it is expedient to grant the prayer of such petition :

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The first clause of section 16 of the act 60 Victoria, 60 V., c. 77, s. 16, § 1, replaced.  
chapter 77, is replaced by the following :

**" 16.** The directors of the company may, from time to Power to borrow money and to issue mortgage bonds, &c.  
time, borrow money upon the credit of the company and issue bonds, debentures or other securities for any sums borrowed, but the amount of bonds and debentures shall not, at any time, exceed one hundred thousand dollars."

**2.** Section 16 of the said act is amended by adding thereto Id., s. 16, amended.  
the following clauses :

**"** The directors of the company may also, from time to Power to borrow and to issue second mortgage bonds, &c.  
time, borrow money upon the credit of the company, and issue second mortgage bonds, debentures or other securities or preference shares in such form as the directors may prescribe.

Such bonds or debentures shall further be, and shall rank Ranking, &c., of such bonds.  
as a second charge or hypothec upon the immoveable property, machinery, plant, franchises, rates, revenues and rents of the company without prejudice to other privileges already existing ; but the amount of second mortgage bonds, debentures or other securities or preference shares in this clause mentioned shall not, at any time, exceed fifty thousand dollars."

**3.** This act shall come into force on the day of its sanc- Coming into force.  
tion.

## CAP. LXXII

An Act to replace the charter of the Mutual Fire Insurance Company, of the city of Montreal, by the general law respecting mutual fire insurance companies in counties

[Assented to 15th January, 1898.]

Preamble.

**W**HEREAS the Mutual Fire Insurance Company, of the city of Montreal, has, by petition, prayed for certain amendments to its charter ;

Whereas the general law governing mutual fire insurance companies in counties covers the provisions of the charter of the said company, and the amendments which it prays for ;

Whereas it would be an advantage to have uniformity in the law governing this matter, and whereas for that object, the company agrees to submit to the said general law, except in so far as regards the election of directors, the right to vote, the amount of insurance in towns and cities, and the amount of the reserve fund ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

44-45 V., c.  
62, repealed.

**1.** The charter of the Mutual Fire Insurance Company of the city of Montreal, 44-45 Victoria, chapter 62, is repealed.

Company to  
continue to  
exist under  
same name.

**2.** The company shall continue to exist as a corporation and shall retain the name of " The Mutual Fire Insurance Company, of the city of Montreal," and shall be governed by the provisions of the general law respecting mutual fire insurance companies in counties, section seventeen of chapter three of title eleven of the Revised Statutes of the Province of Quebec, except however the provisions of article 5280 respecting the mode of electing directors, article 5284 respecting the right to vote, article 5290 respecting the amount of insurance in towns and cities, and the proviso of article 5334 respecting the amount of the reserve fund.

Law to gov-  
ern.

**3.** The directors shall be elected for a term of three years. The board of directors shall be renewed by one-third at a time, three directors going out of office, each year, by order of seniority. The directors shall be elected by ballot.

Duration in  
office of direc-  
tors.

How to be re-  
placed.

How elected.

How directors  
to retire are  
selected.

At the next election, lots shall be drawn to determine which three directors shall go out from among the nine directors then in office, and, at the following election, lots shall also be drawn to determine which three directors shall go out of office from among the remaining six old directors. Thereafter, three directors shall go out of office by order of seniority, and any director, who may be appointed in the course of any

year by the directors to fill any vacancy, occurring in the board of directors, shall assume the place and seniority of the director so replaced, and the retiring directors shall be re-eligible.

4. The members alone shall have the right to vote, and shall have one vote for the whole amount of their deposit-note up to one hundred dollars, and an additional vote for any amount between one and two hundred dollars, and so on, one additional vote for every additional hundred dollars. Right to vote.

The vote shall be by heads and be given in person, and no one can vote by proxy, except persons separated as to property who may be represented by their husbands; corporations, by one of their directors, aldermen, administrators or employees; minors, by their tutors; interdicted persons, absentees, substitutes and institutes, by their curators, and successions, by their testamentary executors. How to be given.  
Who may vote by proxy.

5. This act shall not have the effect of constituting a new company, but merely of continuing and preserving that already in existence, in the city of Montreal, under the name mentioned in section 2 of this act, as well as all policies, applications for insurance, deposit-notes, assessments, insurances, regulations, officers, directors, members, property, rights, privileges and prerogatives now in existence in the said company or belonging to it. Effect of act.

6. The company may require an entrance premium on its risks, over and above the deposit-note, to cover the probable amount of losses and the costs of administration; and the entrance premium shall be payable in the manner prescribed by the board of directors. Entrance premium may be required.

## CAP. LXXIII

### An Act to incorporate the Executors' Trust Company

[Assented to 15th January, 1898]

**W**HEREAS a petition has been presented praying for the incorporation of the Executors' Trust Company, and it is expedient to grant the prayer of the said petition; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Herbert Brown Ames, capitalist; Henri Barbeau, general manager Montreal City and District Savings' Bank; John Brunskill Clarkson, accountant; James Crathern, merchant; Persons incorporated.



- Hon. Alphonse Desjardins, president Banque Jacques Cartier; Samuel Finlay, capitalist; Andrew Frederick Gault, merchant; Robert Carlyle Jamieson, merchant; Robert Mackay, merchant; Guillaume Napoléon Moncel, manager; Francis Scholes, managing director Canadian Rubber Company; Charles Francis Smith, merchant; John Torrance, steamship agent; William John Withall, vice-president Quebec Bank, and such others as may hereafter become shareholders of the company, created by this act, shall be and they are hereby constituted and declared to be a body corporate under the name of "The Executors' Trust Company," and by that name, may make and receive all deeds, conveyances, transfers, assignments and contracts necessary to carry the provisions of this act into effect, and to promote the objects of the incorporation.
- Name.**
- General powers.**
- Head office.** **2.** The head office of the company shall be in the city of
- Agencies.** Montreal, and the directors may establish branch offices in the Province.
- Capital stock, and shares.** **3.** The capital stock of the company shall be divided into five thousand shares of the value of one hundred dollars each.
- Board of directors.** **4.** Notwithstanding article 4657 of the Revised Statutes, the company shall be managed by a board of directors, not more than thirteen in number, nor less than five, and the said H. Brown Ames, H. Barbeau, J. B. Clarkson, Jas. Crathern, Samuel Finlay, Andrew F. Gault, Robt. C. Jamieson, G. N. Moncel and Chas. H. Smith are the provisional directors of the company, and shall hold office until the first election of directors.
- Provisional directors.**
- First general meeting.** **5.** The first general meeting of the shareholders of the company shall be held in the city of Montreal within six months after the coming into force of this act, and shall be
- How called.** called by notice mailed to each of the shareholders and signed by any three of the provisional directors.
- Powers of company to: Take, &c., real estate in trust;** **6.** The company shall have power to :
- Administer trusts;** (a) Take, receive and hold all estates and property real and personal which are granted, committed, transferred or conveyed to it upon any trust whatsoever not contrary to law, at any time, by any association, society or person, or by any order, judgment or decree of any court ;
- Act as attorney, &c ;** (b) Administer, fulfil and discharge the duties of such trusts for such remuneration as may be agreed upon ;
- (c) Act generally as agent or attorney for the transaction of business, the management of estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts,

dividends, debentures, bills, notes and securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally in all matters in the nature of a trust or general agency ;

(d) Act as agent for the purpose of issuing, countersign- Act as agent, &c. ; ing, registering or otherwise ascertaining and certifying the genuineness of certificates of stock, bonds, debentures or other obligations or securities for money of any government, municipal or other corporate body or society duly authorized to issue and make the same, and receive and manage any sinking fund therefor on such terms as may be agreed upon, and hold such stocks, bonds, debentures or other securities for money as agent or trustee, and act generally as fiscal or other agent for such government, society or corporate body ;

(e) Invest any moneys forming part of its own capital or reserve or accumulated profit thereon in the manner provided Invest moneys ; in section 7 of this act, and in the bonds or debentures of any corporation, building society or loan company, or on the security of real estate in Canada, or of any interest in such real estate as the directors deem expedient ;

(f) Guarantee any investments made by the company as Guarantee investments ; agent or otherwise ; provided that nothing herein shall be held either to restrict or extend the powers of the company as trustee or agent under the terms of any trust or agency conferred upon it ;

(g) Receive moneys in trust and otherwise for the purposes herein specified, and invest and accumulate the same Receive moneys in trust ; at such rates of interest as may be obtained therefor ;

(h) Accept and execute all such trusts of every description Execute, &c., trusts ; entrusted to the company by any government, corporation, association, society or person, or committed or transferred to it by any order, judgment or decree of any court ; accept and execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, guardian, curator to the estate of an interdict, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do ; and in all cases where application is made to any court, judge or prothonotary for an appointment to any such office or trust, and such court, judge or prothonotary appoints the company, then the company may hold such office or trust, and the court may substitute, if necessary, for any obligations required from a private person appointed to such offices, such usual obligations as are applicable to corporations, and may fix the remuneration of the company ; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest or otherwise, any real or personal estate upon any lawful trusts, and perform and execute such trusts according to the terms and for the purposes declared, established or agreed upon respecting such

estate; accept from and execute trusts for married women with respect to their separate property, real or personal, and act as agents for them in the management of such separate property;

Become custo- (i) Be the custodian, on such terms as may be agreed upon, of  
dian of plate, any jewellery, plate or other valuable property, and of deeds,  
&c.; wills, debentures and other evidences of title or indebted-  
ness;

Act as invest- (j.) Act as investing and managing agent of estates and  
ing agent, &c.; properties, and for and on behalf of executors, administrators  
and trustees, and of any other persons or corporations;

Receiver remun- (k.) Receive and collect such remuneration for its services,  
eration for as may be agreed upon, or as previously fixed from time to  
services. time by its by-laws, and all usual and customary charges,  
costs and expenses.

Trust funds 7. The company shall invest trust moneys as follows, and  
may be in- may manage, sell or dispose of such investments, as the terms  
vested in: of the trusts require:

Mortgages; (a) In first mortgages, privileges and hypothecs on  
property valued at an amount one-third higher than the  
sum to be invested;

Government (b) In the stock, funds or government securities of Canada  
stocks or any province of Canada, or of the United States, or guar-  
anteed thereby respectively, or in the bonds or debentures of  
any municipal corporation other than those having a popula-  
tion of less than two thousand inhabitants, or an annual rate  
of assessment exceeding two cents on the dollar, or in the  
bonds and debentures of any school district in any such pro-  
vince, or in the public stock, funds or government securities  
of the United Kingdom, or any of the colonies or dependen-  
cies thereof; or

Other securi- (c) In such other securities as are specified by the terms  
ties. of any trust, in cases where the parties to the trust or who  
may be interested therein are not minors or incapable per-  
sons.

Proviso. 2. Nothing in this section shall prevent the company from  
holding securities of any other kind that form or are part of  
any estate which comes into its hands; and it may hold such  
securities subject to the trusts and legal obligations attaching  
thereto, but, in case of the realization of any portion thereof,  
the proceeds shall be invested as herein directed unless the  
will, deed, order or instrument creating the trust has pro-  
vided otherwise.

Moneys, &c., 8. The moneys and securities of each trust shall always  
to be held be kept distinct from those of the company, and in separate  
separate. accounts, and so marked for each particular trust as always  
to be distinguished from any other, in the registers and other  
books of account to be kept by the company, so that at no  
time shall trust moneys form part of or be mixed with the

general assets of the company; and the company shall, in the receipt of rents, and other property, keep distinct records and accounts of all operations connected therewith; provided always that, in the management of money and property held by the company as trustee, or in any other official capacity, under the powers conferred by this act, the company may, unless the authority making the appointment, at the time of the making of such appointment, otherwise directs, invest, in the manner provided by section 7 of this act, such money and property in a general trust fund of the company; provided, however, that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

**9.** Moneys, properties and securities received or held by the company upon trust, or as agent of any person or body corporate, shall not be liable for the debts or obligations of the company. Trust moneys not liable for debts, &c., of company.

**10.** In case of the appointment of the company to any trust or office by any court in Canada, or judge or prothonotary thereof, such court, judge or prothonotary may, from time to time, require the company to render an annual account of its administration of the particular trust or office to which it has been so appointed; and may, from time to time, appoint a suitable person to investigate the affairs and management of the company, and as to the security afforded to those by or for whom its engagements are held; and such person shall report thereon to such court, judge or prothonotary, and the expenses of such investigation shall be borne as ordered by such court, judge or prothonotary. Accounts of administration to be rendered. Investigation into company's affairs.

**11.** The company may hold such real estate as may be *bond fide* mortgaged or hypothecated to it by way of security, or conveyed to it in satisfaction of debts or of judgments recovered; provided always, that all real estate, so mortgaged or conveyed in security as aforesaid and acquired by the company, shall be sold and disposed of within seven years from the time of its becoming the absolute property of the company, otherwise it shall revert to the previous owner or to his heirs or assigns. Powers to hold real estate, &c. Proviso.

**12.** The company may also acquire, hold, alienate, convey, hypothecate and mortgage any real estate required, in part or wholly, for the use and accommodation of the company; but the annual value thereof in any Province of Canada shall not exceed five thousand dollars, except in the Province of Quebec, where it shall not exceed ten thousand dollars. Power to acquire, &c., real estate, &c., to certain amount for uses of company.

Laws applicable.

**13.** All the clauses of the joint stock companies' general clauses' act, not inconsistent with this act, shall apply thereto.

Officers liable to coercive imprisonment in certain event.

**14.** When the company shall accept any charge with respect to which the general laws of this Province grant coercive imprisonment as a legal recourse, each and every director of the company in office at the time when such charge was assumed and when it comes to an end, as well as the manager, shall be personally liable, jointly and severally, for the repayment of what is due by the company, and, in default of payment, the said directors and the said manager shall also be subject to the same coercive imprisonment to which they would have been liable if they had personally accepted and carried out such charge.

Coming into force.

**15.** This act shall come into force on the day of its sanction.

#### CAP. LXXIV

### An Act respecting the Canadian Savings, Loan and Building Association

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** the Canadian Savings Loan and Building Association has, by its petition, represented that it is a corporation, duly incorporated under the provisions of the Building Society Act of the Province of Ontario, being chapter 169 of the Revised Statutes of Ontario, 1887, as a building society, and is duly registered as a loan corporation under the Loan Corporation Act, 60 Victoria, chapter 38, of the Statutes of Ontario, for raising by monthly or other periodical subscriptions of the several members of the association, in shares not exceeding the value of four hundred dollars for each share, and in subscriptions not exceeding four dollars per month for each share, a stock or fund to enable each member to receive, out of the funds of the association, the amount or value of his share therein, for the purpose of erecting or purchasing one or more dwelling house or houses or other freehold or leasehold estate, or for any other purpose whatsoever, the amount or value of the shares to be secured to the association, by mortgage or otherwise, on real estate belonging to the member at the time of his borrowing money from the association or any other real estate acquired by such member, until the amount or value of his share, with interest thereon, has been fully paid together with all fines or liabilities incurred in respect thereof;

Whereas it is desirous of extending its business into the Province of Quebec, and prays to be incorporated for that purpose ; and whereas it is expedient to grant the prayer of such petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Canadian Savings, Loan and Building Association (in this act hereinafter referred to as the association or the company) may extend its business to the Province of Quebec as a corporation duly incorporated within the Province of Quebec, for raising, by monthly or other periodical subscriptions of the several members of the association, in shares, not exceeding the value of four hundred dollars for each share and in subscriptions not exceeding four dollars per month for each share, a stock or fund to enable each member to receive out of the funds of the association the amount or value of his share therein, for the purpose of erecting or purchasing one or more dwelling house or houses or other freehold or leasehold estate, or for any other purpose whatsoever ; and the amount or value of the shares shall be secured to the association by mortgage or otherwise, on real estate belonging to the member at the time of his borrowing money from the association or on other real estate acquired by such member, until the amount or value of his shares, with the interest thereon, has been fully paid, together with all fines or liabilities in respect thereof.

Association to extend its business to Province of Quebec.

2. The association may, in its corporate name, take all proceedings permitted by the laws of Quebec for the recovery or realization of the moneys secured by any mortgages or securities upon real estate in the Province of Quebec held by the said association, and generally may, in its corporate name, exercise the same powers and use and take the same remedies and proceedings to enforce payment of any debt or demand, whether for principal, interest, damages, costs or otherwise, as any person may, by law, use or take for the like purposes.

Powers that may be exercised by association.

3. The association shall have a head office for the Province of Quebec, in the city of Montreal, and may have such branch offices in other places as the board of directors may determine.

Head office and branches.

4. The association shall have all the powers incident to building societies and loan and investment societies in virtue of the building societies act of the Province of Quebec, as contained in the Revised Statutes of Quebec, article 5401 to 5476, inclusively, and amendments thereto.

Other powers of association.

Form of debentures.

5. The debentures to be issued under the authority of this act may be in the form of the schedule hereto.

Coming into force.

6. This act shall come into force on the day of its sanction.

## SCHEDULE

### FORM OF DEBENTURE

#### *The Canadian Savings, Loan and Building Association*

Debenture No.

Transferable

\$

*Under the authority of the Statute of the Province of Quebec  
61 Victoria, chapter 74*

The president and directors of the Canadian Savings, Loan and Building Association promise to pay to

(or bearer), the sum of \$

on the                      day of                      in the year of Our Lord, 18    , at the head office of the Association,

with interest at the rate of                      per cent. per annum, to be paid half-yearly on the presentation of the proper coupon for the same as hereunto annexed, say on the

                    day of                      and the                      day of                      in each and every year, at the head office of the Association.

Dated at                      , the                      day of                      18    .

For the president and directors of the Canadian Savings, Loan and Building Association,

\_\_\_\_\_  
Secretary (or Manager).

### COUPON

No.                      \$

Half-yearly dividend due                      of                      18    , on debenture No.                      , issued by this Association, on the                      day of                      , 18    , for \$                      , at                      per cent. per annum, payable at the head office of the Association.

For the president and directors,

\_\_\_\_\_  
Secretary (or Manager).

## CAP. LXXV

An Act to incorporate *La Caisse Générale*

[Assented to 15th January, 1898]

**WHEREAS** Arthur Gagnon, Alfred Napoléon Rivet, Preamble.  
 Joseph Fortier, Oscar Guyon dit Lemoine, Paul Gédéon  
 Martineau and Gustave Lamothe, all of the city and district  
 of Montreal, have prayed for an act incorporating them and  
 others under the name of *La Caisse Générale*, for purposes of  
 benefit, of insurance and of a pension fund ;

Whereas it is expedient to encourage such associations  
 and to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent  
 of the Legislature of Quebec, enacts as follows :

**1.** Arthur Gagnon, Alfred Napoléon Rivet, Joseph Fortier, Persons incor-  
 Oscar Guyon dit Lemoine, Paul Gédéon Martineau and porated.  
 Gustave Lamothe, and all other persons, societies and cor-  
 porations who are now or who shall, from time to time,  
 become shareholders in the capital stock of the present com-  
 pany shall constitute a corporation, under the name of *La*  
*Caisse Générale*, and under such name they shall have perpet- Name.  
 ual succession and may have a common seal which they Powers.  
 may modify at will ; may possess moveable and immoveable  
 property, acquire the same by deed, gift, legacy or other  
 legal title, and sell, alienate or otherwise dispose of the same,  
 and may appear before the courts both as plaintiff and as  
 defendant for all purposes whatsoever.

**2.** The capital stock of the company shall be three hundred Capital stock  
 thousand dollars, divided into three thousand shares of one and shares.  
 hundred dollars each.

When the authorized capital shall have been fully paid Increase  
 up, it shall be lawful for the company to increase its capi- thereof.  
 tal stock, from time to time, to an amount not exceeding one  
 million dollars.

**3.** A sum of twenty-five thousand dollars must be paid Sum to be  
 before the insurance business of the company is commenced. paid before  
commencing  
business.

**4.** The company shall have power and authority, within Power of com-  
 the limits of the Province of Quebec, to carry on the business pany to carry  
 of fire, life and accident insurance, in so far as regards a on business of  
 weekly indemnity for bodily accidents, combined with a insurance.  
 system of life insurance, and to carry on all the ordinary oper-  
 ations of fire and life insurance companies or associations.

The company shall also have power to have itself insured Reinsurance.  
 against any loss or risk that it might incur in the course of its  
 operations, and also to insure any other company or insurance



or benefit association against any loss or risk which such other company or association might incur in the course of its operations, and generally do and execute all other things connected with its business calculated to facilitate the same.

Branch offices.

**5.** For each and every of its objets it shall be lawful for the directors of the company to establish branch offices or agencies for its operations in any place whatsoever in the Province of Quebec.

Investment of moneys.

**6.** It shall be lawful for the company to invest its moneys in bonds, debentures or other securities of the Province of Quebec or of the Dominion of Canada, or in the debentures of any municipal corporation in the Province or in shares or bonds of any companies or corporations incorporated in the Province of Quebec; or to lend its moneys on the guarantee of such public securities, bonds or debentures or on mortgages on real estate in the Province of Quebec, or on its own life insurance policies, to the amount which the insured would be entitled to receive on renouncing the same; and it may, from time to time, dispose of such public securities, shares, bonds or debentures and mortgages and replace them by others in the discretion of the directors.

Head office.

**7.** The head office of the company shall be in the city of Montreal until it shall be changed by the shareholders.

Provisional directors.

The persons mentioned in section 1 of this act shall be the provisional directors of the company.

Establishment of pension fund.

**8.** It shall be lawful for the company to establish a special department under the name of *La Caisse Générale—Fonds de Pension*, for the purpose of securing a pension to those persons who shall contribute to such fund during a certain number of years.

Powers of directors to regulate.

**9.** Special regulations may be made by the directors respecting everything connected with such fund.

Special committee for such purpose.

**10.** The directors of the company may appoint a special committee, with power to organize and secure the working of such branch.

Benefits not liable to seizure, &c.

**11.** The benefits and advantages to be derived from such pension fund shall not be assignable and shall not be liable to seizure, except in favor of the company.

Powers as to married women.

Married women, who shall contribute thereto, shall retain the exclusive control of their rights.

Coming into force.

**12.** This act shall come into force on the day of its sanction.

## CAP. LXXVI

## An Act respecting The Laurentide Pulp Company (Limited)

[Assented to 15th January, 1898]

**W**HEREAS the Laurentide Pulp Company (Limited) was Preamble.  
 incorporated by letters-patent of the Dominion of Canada, granted the first day of June, one thousand eight hundred and eighty-seven, under the provisions of "The Companies" Act," (Revised Statutes of Canada, chapter 119).

Whereas the said company has prayed for an act confirming the said letters-patent and granting the company additional powers, and for other purposes, and whereas it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The charter of The Laurentide Pulp Company (Limited), granted by letters-patent of the Dominion of Canada, issued on the 1st day of June, 1887, is confirmed and ratified, and the provisions of the said charter shall be read herewith. Charter confirmed.

All the powers conferred upon the said company by the said letters-patent, as amended by supplementary letters-patent of the 31st of January, 1889, and of the 13th of July, 1897, are ratified as though the same had been specially hereby enacted. Powers confirmed.

**2.** The company is further authorized :

Company authorized :

(a) To carry on the business of manufacturing wood-pulp and paper in all its branches ; To manufacture pulp and paper ;

(b) To purchase, sell and deal in timber and timber limits, and to erect and construct saw-mills for the production and manufacture of lumber, and to do all other things incidental to the business of lumbering in all its branches ; To purchase, &c., timber and timber limits, &c. ;

(c) To build, construct and operate steamboats, barges and other vessels necessary for its business, and to operate the same on the St. Maurice River and its tributaries ; To build, &c., steamboats, &c. ;

(d) To build, construct and erect dwelling-houses and shops or stores on the property of the company at Grand' Mère and elsewhere in the Province of Quebec, and to sell, lease or otherwise dispose of the same to its employees and to other persons ; To build, &c. dwelling-houses, &c.

(e) To carry on the business of general storekeeper and dealer in supplies and general merchandize ; To carry on certain business, &c. ;

(f) To build and construct a hotel, and therein to carry on the business of a hotel at Grand' Mère, in the Province of Quebec ; To build hotels, &c. ;

To build, &c., churches, &c.; (g) To build and construct, or to aid in building and constructing churches, school-houses and other charitable and public buildings for the use of the employees of the said company and other residents of the village of Grand' Mère ;

To receive deposits of money ; (h) To receive deposits of money from its employees and to pay interest thereon ;

To promote, &c., other companies. (i) To promote or assist in promoting, and to become a shareholder in any other subsidiary or allied company which carries on, or has for its object the operation of any business similar to that carried on by the Laurentide Pulp Company.

Head office and branches. **3.** The principal place of business of the company shall be at the city of Montreal, but the company may establish branch offices in any other city, town or village in the Province of Quebec.

Power to acquire real estate, &c. **4.** The company may acquire, hold, alienate and convey any real estate required for the carrying on of its undertaking, and shall forthwith become and be vested with all rights, real and personal, heretofore held by it, and with all the powers, privileges and franchises requisite to the carrying on of its undertaking as though incorporated by a charter from the Legislature.

Powers of directors : The directors of the company may, when authorized by a by-law for that purpose passed and approved of by the votes of shareholders representing at least three-fourths in value of the subscribed stock of the company represented at a special general meeting duly called for considering the by-law :

To issue bonds, &c. (a) Borrow money upon the credit of the company, and issue bonds, debentures or other securities for any sums borrowed, at such prices as are deemed necessary or expedient, but no such debentures shall be for a less sum than one hundred dollars ;

To hypothecate, &c., property. (b) Hypothecate the real property or pledge the real or personal property of the company to secure any sums borrowed by the company.

Limit of borrowing power. But the amount borrowed shall not, at any time be greater than seventy-five per cent. of the actual paid up stock of the company ; provided always that the limitations and restrictions of the borrowing power of the company contained in this section, shall not apply to or include moneys borrowed by the company on bills of exchange or promissory notes, drawn, made, accepted or endorsed by the company.

Effect of bonds after registration. **5.** Such bonds or debentures, after their registration in the office or offices of the registration division or divisions in which the immovables of the said company are situate, (which must be described in a notice to that effect given to the registrar,) constitute a privileged claim in favor of the holders

thereof against the company and give a right of preference over all other debts of and claims against the company, posterior to the issuing of such debentures.

**6.** The capital stock of the company may be increased to an amount not exceeding two million dollars, by a vote of a majority of the shareholders at a special general meeting duly called for that purpose, and such stock shall be issued and allotted by the directors of the company as they may determine. Increase of capital stock.

Notice of any such increase must be given by the company in the *Quebec Official Gazette* by an advertisement inserted thrice consecutively. Notice of increase.

**7.** This act shall come into force on the day of its sanction. Coming into force.

## CAP. LXXVII

An Act to amend the charter of the Royal Paper Mills Company

[Assented to 15th January, 1898]

**WHEREAS** the Royal Paper Mills Company has, by its petition, prayed for an act to amend its charter, and to provide for an increased issue of bonds, and it is expedient to grant its prayer ; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Section 10 of the act 58 Victoria, chapter 74, is replaced by the following : 58 V., c. 74, s. 10, replaced.

**" 10.** The amount of such bonds so issued shall not exceed four hundred thousand dollars, nor shall they bear more than six per cent. interest per annum. Limit of issue of bonds.

Interest coupons may be attached to the bonds so issued, which may be in the form of currency bonds of one hundred dollars each or sterling bonds of one hundred pounds each, or part of them currency bonds of the said denomination and part of them sterling bonds of the said denomination. Interest coupons. Bonds may be in currency or sterling.

**2.** This act shall come into force on the day of its sanction. Coming into force.

## CAP. LXXVIII

## An Act to incorporate the Union Brewery

[Assented to 15th January, 1898]

## Preamble.

**W**HEREAS Thomas G. Roddick, doctor of medicine, Robert Archer, gentleman, both of the city of Montreal, and James L. Harcourt, formerly of the said city and now of Windsor, in the Province of Ontario, have by their petition represented :

That they are the trustees and also the executors of the last will and testament and codicils thereto of the late John Atkin, in his lifetime of the city of Montreal, brewer, who departed this life on or about the sixth day of February, one thousand eight hundred and ninety-six, and who, at the time of his death, was carrying on a brewery, and the same was in active operation ;

That by the said will and codicils, the petitioners, among other matters, were authorized to continue the business and brewery, in order that it might be sold as a business and as a going concern ;

That the said testator also directed that his trustees should be entitled to receive a sum equal to two and one half per cent. per annum on the revenues received by them ;

Whereas the petitioners, by their petition, pray that the petitioners Roddick and Archer—the other executor being no longer a resident of the Province of Quebec—as such trustees and executors, and others who may hereafter join them, be incorporated under the name of the “ Union Brewery”, for the purpose of carrying on the business of brewing and malting and dealing in articles connected therewith, and of acquiring and operating the brewery and business of the late John Atkin and the property pertaining thereto ; and whereas it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain persons incorporated.

Name and powers.

1. The said Thomas G. Roddick and Robert Archer, and such persons as now are or hereafter may become shareholders, are hereby created a body politic and corporate under the name of the “ Union Brewery,” with power to acquire and own property, moveable and immoveable, and the same to lease, alienate, exchange, sell, hypothecate or otherwise dispose of or deal with as may be deemed best in the interests of the company.

Capital stock and shares.

2. The capital stock of the company shall be a total sum not exceeding two hundred thousand dollars, representing

the value of the property referred to in section 5 of this act, divided into shares of one hundred dollars each, and issuable at such time and in such manner as the directors by resolution may determine.

3. The said Thomas G. Roddick and Robert Archer, and Provisional directors. Albert J. Brown, of the city of Montreal, advocate, shall be the provisional directors.

4. The company shall have power to carry on the business of brewing and malting and of dealing in articles connected therewith, and is authorized to acquire the whole establishment and business heretofore carried on by the said late John Atkin as a brewery, and by his executors after his death, including the property, real and personal, moveable and immoveable, pertaining thereto, and all the plant, book debts, accounts and assets generally in connection with the said brewery and business, and also the property on St. Lawrence street, in the city of Montreal, including cadastral No. 785 of St. Louis Ward of the said city. Business that company may carry on. Property that company may acquire.

5. The said executors and trustees, or their successors, are authorized to sell, assign, convey and make over unto the company hereby incorporated all the brewery and business heretofore carried on by the said late John Atkin and by his executors after his death, with all the property, moveable and immoveable, book debts and assets of whatever nature and description appertaining to the said establishment, including the said property on St. Lawrence street, for such amount of paid up capital stock in the company hereby created as may be deemed advantageous by the said executors; and thereupon the said company shall be responsible for all debts, liabilities, hypothecary and other obligations due by or for which the estate of said late John Atkin may become liable in connection with the said brewing and malting business carried on by him and by his executors as aforesaid. Power of executors, &c., to sell business, &c.

6. The provisional directors, and the directors of the company, are hereby authorized to accept and receive in payment of any stock subscribed in the said company, the brewery and business heretofore carried on by the said late John Atkin, and the property, moveable and immoveable, book debts and assets of whatever nature and description appertaining to the said establishment, including the said property on St. Lawrence street, and may issue to any persons executors or trustees, for the same, fully paid up shares in the capital stock of the said company, and such shares being so issued shall thereafter be deemed fully paid up and non-assessable, and no liability thereon created against the holder. Power of directors to accept brewery, &c., in payment of stock.

Qualification  
of executors as  
directors of  
company.

7. The present trustees and executors of the last will and testament and codicils thereto of the late John Atkin and their successors, shall be eligible as directors in the company as representing the estate of the late John Atkin—each equally—so long, however, as the estate holds sufficient stock to qualify such executors as directors according to the by-laws of the company and the Joint Stock Companies' General Clauses Act.

Executors  
may hold  
shares in  
their own  
names.

8. Notwithstanding anything in the present act or in the Joint Stock Companies' General Clauses Act or other law or statute to the contrary, the said executors and trustees may, in addition to any shares held or administered by them for or in the name or on behalf of the estate of the said John Atkin, acquire shares from the said estate or from the company hereby incorporated or other persons or corporations, and possess, hold and enjoy, to all intents and purposes, in their own individual names respectively, such shares in the company as they may from time to time acquire.

Remunera-  
tion of execu-  
tors.

9. The said executors and trustees are declared to have been and to be entitled, as a remuneration for their services in carrying on the business of the said late John Atkin from the time of his death, to a sum not exceeding two and a half per cent. per annum on the gross receipts from said business each year from the date of such death, up to, but not after, the transfer of the business to the company hereby incorporated.

Head office of  
company.

10. The head office of the company shall be in the city of Montreal.

Law applic-  
able.

11. The Joint Stock Companies' General Clauses Act shall apply to the company, in so far as it is not inconsistent with the provisions of this act.

Coming into  
force.

12. This act shall come into force on the day of its sanction.

## CAP. LXXIX

### An Act to incorporate William Dow & Company

[Assented to 15th January, 1898]

Preamble.

WHEREAS James Philip Scott, Angus William Hooper and George Robertson Hooper, all of Montreal, Henry Lee Morse, of Boston, and William Gillman, of Portsmouth, England, have, by their petition, represented that they are

desirous of being incorporated as a joint stock company for the purpose of acquiring the business now carried on by William Dow & Company, and it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** James Philip Scott, Angus W. Hooper, George R. Hooper, Henry Lee Morse and William Gillman, who shall be the first directors, are hereby incorporated, with such other persons as may subscribe for stock in the company, under the name of "William Dow & Company." Certain persons incorporated.

Name.

**2.** The company shall have power to purchase and continue the business now carried on by the commercial firm of William Dow & Company, together with the property, moveable and immoveable, plant and machinery, belonging thereto, and the good-will of the said business, and may issue the whole or any part of its capital stock fully paid up and the whole of its debentures as the consideration price for the purchase thereof. Powers.

**3.** The company shall have power to carry on business as brewers, maltsters, coopers, bottlers and dealers in all goods manufactured and unmanufactured appertaining to its said business, and to invest its surplus funds in real estate and the same to sell or lease. Business to be carried on.

**4.** The capital stock of the company shall be one million dollars, divided into ten thousand shares of one hundred dollars each. Capital stock and shares.

**5.** The company shall have power, from time to time, upon resolution of a special shareholders' meeting held for that purpose, and with the assent of two-thirds of the shareholders present at such meeting, to increase its capital stock by the issue of additional stock, to such amount as may be necessary for the extension and development of the business of the company, provided always that no stock shall be issued in virtue hereof except for cash equal to its par value. Increase of capital stock.

**6.** The company shall have power to issue debentures, not exceeding in amount five hundred thousand dollars, or its sterling equivalent, bearing such rate of interest and payable at such times and places as the company may determine. Issue of debentures authorized.

Such debentures shall, if so provided by the terms thereof, be a first hypothec and charge upon the immoveable property of the company, and may be further secured by conveyance thereof to trustees. Debentures to be hypothec on property.



Head office,  
&c.

7. The company's head office shall be at Montreal, but it shall have the right to establish an office in Great Britain for the transfer of stock.

When compa-  
ny may com-  
mence busi-  
ness.

8. The company shall not commence business unless and until it shall have acquired the business now carried on by William Dow & Company.

Coming into  
force.

9. This act shall come into force on the day of its sanction.

## C A P. L X X X

### An Act to amend the charter of the Montreal Union Abattoir Company

[Assented to 15th January, 1898]

Preamble.

WHEREAS the Montreal Union Abattoir Company, a body incorporated by letters-patent, which were subsequently confirmed by the act 48 Victoria, chapter 60, has, by petition, prayed the Legislature to amend its charter, so as to grant it additional powers, and it is expedient to grant its prayer;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Transfer of  
Western  
abattoir au-  
thorized.

1. The company may transfer its Western abattoir to or near to the stock-yards of the Grand Trunk Railway Company, and the council of the city of St. Henri is authorized to make arrangements with the company for the removal of said abattoirs, by purchasing the lands and buildings of the company, or either, or by granting a subsidy or in any other manner which may be determined.

Transfer of  
Eastern abat-  
toir author-  
ized.

The company may also transfer its Eastern abattoir to or near to the river St. Lawrence in the county of Hochelaga, provided always that the new abattoir is not situated further than four miles from the Dalhousie station of the Canadian Pacific Railway.

When to  
take place.

Such changes cannot take place until after having been approved by the majority of the paid up capital of the said company, and the consent of the city of Montreal and any other municipality to which such abattoir may be transferred, and shall not take place before the balance due to the city of Montreal by the company be paid or the payment be secured to the satisfaction of the said city.

The Eastern abattoir shall not be transferred without the consent of the Canadian Pacific Railway Company. Certain consent required.

The act 48 Victoria, chapter 67, and the deed of sale from the city of Montreal to the said company, and by-law number 129 and its amendments, not inconsistent with this act, shall remain in full force and effect and shall apply *mutatis mutandis* to the abattoirs so transferred. Certain act, deed of sale and by-law confirmed, &c.

2. It shall be lawful for the company to capitalize its real estate, at an amount equal to the municipal valuation thereof already made. Capitalization of real estate.

3. Any municipality of the Island of Montreal may make by-laws prohibiting the slaughter of animals and the manufacture or rendering of the fertilizing substances, of the fat, tallow, oil and other substances obtained from such animals, or any animal substance, except in public abattoirs, situated or not within its limits, specified or designated by such municipality, provided that no such prohibition shall apply to slaughtering or to any of the above mentioned processes or work when done for packing-house purposes. By-laws prohibiting slaughter, &c., of animals elsewhere than at abattoirs, may be passed by municipalities of Island of Montreal.

4. The city of Montreal or any other municipality on the Island of Montreal may, from time to time, make arrangements with the company for an agreed period of time for feeding, at the abattoirs and the cattle-yards connected therewith, such animals as may be sent to such abattoirs or cattle-yards, and may concede and transfer to the company such market dues as may be legally imposed, from time to time, on such animals, and may permit the company to collect the charges for feeding and caring for such animals at such abattoirs or cattle-yards. Arrangements that may be made with company by city of Montreal and other municipalities.

5. Every municipality, with which arrangements may be made in virtue of the above provisions, or in which abattoirs, parks and markets for live cattle shall be established by the company, may grant the company an exemption of general, or special business taxes or other taxes upon its properties, establishments and machinery, for a period not exceeding twenty-five years. Exemption from taxation may be granted for certain number of years in such case.

## CAP. LXXXI

## An Act to incorporate the Boas Manufacturing Company

[Assented to 15th January, 1898]

## Preamble.

**W**HEREAS Feodor Boas, Meritz Boas and Richard Boronow, now, all of the city and district of St. Hyacinthe, Berthold Mercuse of the town of Westmount, district of Montreal, and Beaumont Shepherd of the city and district of Montreal, have by their petition prayed that they and their representatives might be incorporated for the purpose of carrying on the business of manufacturing woollen and cotton goods and dry-goods, and the acquisition and purchase of cotton, woollen and other factories, and it is expedient that the prayer of their petition be granted ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Persons incorporated.

**1.** Feodor Boas, Meritz Boas and Richard Boronow, all of the city and district of St. Hyacinthe, Berthold Mercuse of the town of Westmount, district of Montreal, and Beaumont Shepherd of the city and district of Montreal, and such other persons as may become shareholders in the company, to be by this act created, shall be and they are hereby constituted and declared to be a corporation, body corporate and politic, by the name of "The Boas Manufacturing Company," for the purpose of carrying on the business of manufacturing woollen and cotton goods and dry-goods, and the acquisition and purchase of cotton and woollen and other factories of the same nature.

## Name.

## Object.

## General powers.

Such corporation shall continue and shall have perpetual succession and a corporate seal, with power to alter and change the same at pleasure. It may sue and be sued, plead and be impleaded in all courts of law, as other corporations may do, acquire and hold real or immoveable estate, for the purpose of its business, and sell, alienate, exchange, and let or lease the same.

## Power to erect, &amp;c., cotton factories, &amp;c.

**2.** The said corporation, hereinafter called the company, shall have power to erect, construct, build, maintain and operate cotton and woollen factories and to manufacture and sell all classes and kinds of woollen, cotton and other dry-goods of every nature and description, and shall have power to acquire and purchase cotton and woollen factories.

## Company may :

Manufacture dry-goods ;  
Acquire, &c.,  
factories, &c. ;

**3.** The company may :

(a) Manufacture and sell all classes of dry-goods ;

(b) Acquire, manufacture, construct, erect and maintain all works, buildings and factories necessary to the manufac-

ture, production and sale of cotton and woollen goods and all other classes of dry-goods ;

(c) Acquire by purchase, license or otherwise, and use, license or otherwise dispose of letters-patent or any invention, or any right to use, or employ any inventions in connection with the manufacture of dry-goods, woollen or cotton goods, and other articles of that nature ; Acquire, &c., letters-patent, &c;

(d) Grant licenses to any person, corporation or company to use any patent, license or right held and owned by the company, and receive payment therefor in cash, or in bonds or debentures or in fully paid up shares of the capital stock of any other such company or corporation, and the company may, to such an extent, become a shareholder in any such company. Grant license to use patents, &c., of company, &c.

4. The head office of the company shall be at the city of St. Hyacinthe, or such other place in the Province of Quebec as the directors of the company, from time to time, by by-law, determine, on giving notice in the *Quebec Official Gazette*. Head office and change thereof.

5. The persons named in section 1 of this act shall be the provisional directors of the company, three of whom shall form a quorum. Such directors may open stock books and procure subscriptions of stock. They shall deposit the payments on stock in a chartered bank of Canada, and withdraw the same for the purposes of the company only. Provisional directors. Quorum. Their powers and duties.

The directors resident out of Canada may vote and act as directors by proxy or power of attorney, and the holders of such proxies need not be directors of the company. Voting by residents out of Canada.

6. The capital stock of the company shall be one million, five hundred thousand dollars, divided into shares of one hundred dollars each. Such capital stock may be called up, from time to time, by the directors as they deem necessary. Capital stock, &c., shares. Calls.

7. When and so soon as two hundred thousand dollars of the capital stock of the company has been subscribed, and ten per cent. of that amount has been paid into some chartered bank of Canada, or paid by transferring, to two trustees for the company, real estate and water-power rights to an amount of at least one hundred thousand dollars, the first general meeting of the company shall be held in the city of St. Hyacinthe or the city of Montreal, at such time as the provisional directors or any three of them may determine. Notice of such meeting shall be given by mailing a written notice of such place, postage prepaid and registered to the address of each shareholder of the company. When first general meeting may be held and when. Notice convening.

8. At the first general meeting of the company and at each annual meeting, the subscribers to the capital stock pres- Election of directors at such meeting.

and at annual general meetings there-after.  
Number.

ent or represented by proxy, who have paid all calls due on their shares, shall choose to be directors of the company not less than three or more than nine persons, each of whom shall hold at least twenty-five shares of the capital stock of the company.

Majority to be residents and British subjects.

The major part of the directors must be resident in Canada and British subjects.

Term of office of first elected directors.

**9.** The directors elected at the said meeting shall hold office only until the first annual meeting of the company.

Increase in number of directors.

**10.** The number of directors may be changed from time to time, by vote of the shareholders, at any general meeting of the company.

Power of board to borrow and issue bonds, when authorized by vote of shareholders.

**11.** The directors may, whenever authorized by a by-law for that purpose, approved by the votes of holders of at least two-thirds in value of the subscribed stock of the company, present or represented by proxy at a special general meeting called for considering such by-law, borrow such sums of money, not exceeding in amount seventy-five per cent. of the paid up capital stock of the company, as the shareholders deem necessary; and they may issue bonds or debentures therefor, in sums of not less than one hundred dollars each, at such rate of interest, payable at such times and places, and secured in such manner by mortgage or otherwise, upon the whole or any portion of the property and undertaking of the company, as may be prescribed in such by-law or decided upon by the directors under the authority thereof.

Redemption of securities.

The company may make such provision respecting the redemption of such securities as may be deemed proper.

Issue of paid up stock authorized.

**12.** The directors may issue paid up and unassessable shares of the company in payment of and for any franchises, properties, patents and privileges, purchased or acquired by the company for the purposes of its business.

Entry to be made in stock-book in such case.

**13.** When shares are issued under the preceding section, mention shall be made in the stock-book of the company, opposite the name of each holder of these shares, of the nature and value given to the company for the issuing of such shares.

Increase of capital stock.

**14.** After the whole of the capital stock hereby authorized has been issued, and fully paid up, the capital stock of the company may be increased, from time to time, to an amount not exceeding four million dollars by a resolution of the shareholders passed and approved of by the votes of the holders of at least two-thirds in value of the subscribed stock of the company, present or represented by proxy at a special general

meeting of the shareholders duly called for considering the same; and such increased capital stock may be issued and shall be dealt with in the same manner as the original capital of the company.

**15.** The directors may, from time to time, with the consent of a majority of the shareholders present or represented by proxy at a meeting called for such purpose, issue debenture stock, which shall be treated and considered as a part of the regular debenture debt authorized by section 11 of this act, in such amounts and manner, on such terms and bearing such rate of interest as the directors, from time to time, think proper, but subject to the limitations in this act provided, so that the amount borrowed on the security of debenture bonds or debenture stock, shall not, in the whole, exceed seventy-five per cent. of the paid up capital stock of the company.

Issue of debenture stock.

**16.** The company shall cause entries of the debenture stock, from time to time, created, to be made in a register to be kept for that purpose at the head office, wherein shall be entered the names and addresses of the several persons, from time to time, entitled to the debenture stock, with the respective amounts of the stock to which such persons are respectively entitled; and the register shall be accessible for inspection and perusal, at all reasonable times, to every debenture holder, mortgagee, bondholder, debenture stockholder and shareholder of the company, without the payment of any fee therefor.

Entry of debenture stock in register.

**17.** All transfers of the debenture stock of the company shall be registered at the head office of the company, but the company may have transfer books of such debenture stock in Great Britain and Ireland, and the United States of America or elsewhere, in which transfers of the said stock may be made; but all such transfers shall be entered in the book to be kept at the head office of the company.

Transfer of debenture stock.

**18.** The company shall, if required, deliver to every holder of debenture stock a certificate stating the rate of interest payable thereon; and all regulations and provisions for the time being applicable to certificates of shares of the capital stock of the company shall apply, *mutatis mutandis*, to certificates of debenture stock.

Certificates for interest on debenture stock and regulations applicable thereto.

The directors may, with respect to the issue of certificates of debenture stock, delegate the powers of the company to agents and attorneys or to any corporation organized for the purpose of transacting such business.

Power to delegate power to issue certificates of debenture stock.

Holders of debenture stock not to vote, &c., at meetings but are considered as creditors.

**19.** The holders of debenture stock shall not be entitled as such to be present or to vote at any meeting of the company, nor shall such stock confer any qualification, but it shall, in all respects, not otherwise provided for by or under this act, be considered as entitling the holders to the rights and powers of creditors of the undertaking, except the right to require repayment of the principal money paid up with respect to the debenture stock.

Conversion of mortgage bonds, &c., into debenture stock.

**20.** The company may make such arrangements and regulations respecting the conversion and exchange of its mortgage bonds and debentures into and for debenture stock, and for the reconversion and reexchange of the same by the respective holders thereof, as are deemed expedient.

Bonds, &c., may be issued in sterling or currency, &c.

**21.** The mortgage bonds, debentures and debenture stock of the company may be issued either in Canadian currency or in sterling, or in both, at the option of the company.

Company may receive aid from Governments, municipalities, &c.

**22.** The company may receive, from any Government or from any person, city, town, municipality or village, whether incorporated or not, and having power to make or grant the same, in aid of the construction, equipment and maintenance of the said works, grants of land, exemption from taxation, loans, gifts of money, guarantees and other securities for money, and may hold and dispose of the same for the purposes of the company.

Law applicable.

**23.** The provisions of the Joint Stock Companies' General Clauses Act shall apply in so far as they are not incompatible with the provisions of this act.

Coming into force.

**24.** This act shall come into force on the day of its sanction.

## C A P. L X X X I I

An Act to consolidate the charter of the Notre Dame Hospital, Montreal, and its amendments

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS the Notre Dame Hospital, a benevolent corporation of the city of Montreal, where it has established a hospital, in which it receives and treats patients from various parts of the Province, without distinction of nationality or of religious belief, was incorporated by the act of this Province 44-45 Victoria, chapter 48; which was successively amended by the acts of this Province 44-45 Vic-

toria, chapter 49, and 46 Victoria, chapter 64; and whereas the said corporation has, by its petition, prayed that the provisions of the said statutes be consolidated and amended, and it is expedient to grant such prayer;

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The incorporation of the Notre Dame Hospital, except as otherwise provided in the present act, is confirmed with all the rights, powers and privileges granted by the statutes mentioned in the preamble to this act, and in particular it has the right to establish, maintain and administer a hospital with branches and annexes in the city of Montreal and in the Province of Quebec, and for such purposes the corporation may acquire, receive and possess moveables and immoveables of all kinds, by any title whatsoever,—gift, purchase, legacy, lease or otherwise—and enjoy the same, with power, at any time to hypothecate, sell, exchange, lease or otherwise alienate or dispose thereof, in whole or in part, and acquire others, provided the immoveable property so acquired does not exceed in annual value the sum of fifty thousand dollars.

**2.** The seat of the corporation is situated in the city of Montreal.

**3.** The object of the corporation is to establish, maintain and administer a hospital with the branches and necessary annexes, wherein sick persons, without distinction of religion or nationality, may be received and treated.

**4.** The corporation of the Notre Dame Hospital consists of three classes of members :

**1.** The present life governors, in so far as they shall be qualified as such, and those who shall hereafter become life governors ;

**2.** The members of the medical board and of the medical council during such time as they shall be in office ;

**3.** The persons who shall contribute to the funds of the hospital, at the dates fixed by the by-laws, a sum of at least five dollars per annum (hereinafter called subscribing members) so long as they shall pay such contribution.

**5.** The administration and government of the corporation are vested in the life governors only, represented and acting through a board of management, excepting the powers and functions hereby attributed to the medical board, to the medical council and to the subscribing members.

**6.** All those persons shall be life governors of the corporation who have made a donation to the hospital of at least



one hundred dollars, but to exercise such rights they must pay, at the dates fixed by the by-laws, an annual contribution of at least ten dollars.

Medical life  
governors.

Every member of the medical board who has served for at least ten years may be elected a life governor by the board of management on the written recommendation of the medical council, and he shall retain such office so long as he pays the said annual contribution of ten dollars.

Constitution  
of board of  
management.

**7.** Except in so far as is hereinafter provided regarding the medical board and medical council, the affairs of the corporation are managed, and the corporation is governed by a board of management consisting of thirteen members selected as follows : one priest from the Seminary of St. Sulpice, appointed every year by the superior of the said seminary ; nine life governors, elected every year at the annual meeting of the corporation, and three members of the medical board, elected annually by the said board.

Power of  
board of man-  
agement.  
to make by-  
laws.

**8.** The board of management may adopt by-laws, not contrary to law nor inconsistent with the provisions of this act, for the management, control and government of the corporation, and for the purpose of assuring the existence of the hospital and of its branches or annexes, and, in particular, for fixing the date and the mode of proceeding for the affairs of the annual general meeting, of special meetings of the corporation, and the meetings of the board of management ; the nomination, qualification, duties, conduct and remuneration of the officers, employees and servants of the corporation and of the hospital ; the payment of subscriptions ; the organization and maintenance of an association of lady-patronesses or of other associations calculated to secure the proper working of the hospital ; the carrying out of all the decisions of the medical board ; the determining of the quorum of its meetings and of the general meetings of the corporation.

Power of  
board of man-  
agement to  
effect loans,  
&c.

**9.** The board of management may effect loans to such amount as it may deem expedient in the name of the corporation for the purposes thereof, and hypothecate and pledge as security the property of the corporation for the repayment of such loans.

Certain mem-  
bers may take  
part in pro-  
ceedings of  
corporation.

**10.** The members of the medical board and of the medical council, as well as the subscribing members, in so far as they shall be qualified as such, shall be admitted to take part in the proceedings of the annual general meetings of the corporation and to vote thereat.

Annual meet-  
ing.

**11.** The annual general meeting of the corporation takes place on the third Wednesday of October of each year, or at

any other date fixed by the board of management, to take cognizance of the various reports of the year, and to proceed to the election of the members of the board of management.

At such meeting, and at every special meeting to which the members of the medical board and of the medical council, as well as the subscribing members, may be convened, they shall, on every question submitted to the meeting, have one vote, and the life governors shall have two votes.

**12.** The board of management meets within the week following the annual general meeting for the purpose of electing a president, two vice-presidents, a treasurer, a secretary, a legal adviser, and such officers as it may deem expedient.

**13.** Every vacancy on the board of management which arises in the course of the year through death, resignation or otherwise, is filled up for the remainder of the year : by the board of management, for the nine members of the board elected at the annual general meeting ; by the superior of the Seminary of St. Sulpice, for the representative of the said seminary ; by the medical board, for the three members of the board of management elected by it.

No delay or negligence, however, in filling such vacancy, shall in any way affect the powers of the other members of the board of management, who, so long as they constitute at least a quorum of the board, continue to administer and govern, as if such vacancy did not exist.

**14.** The board of management appoints the officers, employees and servants whom it deems necessary for the purposes of the hospital and of the corporation, and fixes their salaries and wages. It may also remove them if it think proper.

It may confide the care of the sick and the internal management to nuns, especially the control over the number, engagement and dismissal of employees, servants and domestics ; and it may consent to and make any deed or contract stipulating the conditions of any arrangement for such purposes, which shall be subject to annual resiliation at the desire of either of the contracting parties.

It also appoints medical officers of the hospital, including the physicians attached to it, either as consulting physicians, attending physicians, house physicians or otherwise, and fills the vacancies that may occur in such offices, but only on the nomination of the medical council, and it may remove such medical officers upon recommendation of such council.

Nevertheless, if the medical council neglect to make such nomination or recommendation, within the three months after a notice that such appointment or removal is necessary

Power of voting.

Election of officers.

Vacancies on board of management.

Power of remaining members of board.

Appointments by board of management.

Care of sick.

Appointment of medical officers upon recommendation of medical council.

Power of board of management to appoint, with-

out, &c., in  
certain cases.

has been given to it in writing by the board of management, such board may effect such nomination or removal without the previous intervention, nomination or recommendation of the medical council.

Control of  
medical and  
surgical ad-  
ministration.

**15.** The medical and surgical administration of the hospital and its branches and annexes, as well as the choice of physicians to be attached to the various services and to the various duties of the hospital, is under the control of a medical board and of a medical council.

Composition  
of medical  
board.

The medical board consists of the physicians attached to the various services of the hospital, of the consulting physicians, of the members of the medical council and of the chief house physician.

Control of  
medical  
board.

The medical board alone controls the medical and surgical administration of the hospital, especially as regards the admission of patients, their treatment, their diet and their discharge.

Composition,  
&c., of medi-  
cal council.

The medical council consists of the senior physician of the School of Medicine and Surgery of Montreal, medical faculty of the Laval University in Montreal, *ex-officio*, and of four members of the medical board elected annually by it, two of whom at least shall be selected from among those of its members who are titular professors of the said School of Medicine and Surgery of Montreal, medical faculty of Laval University at Montreal.

Powers of  
medical coun-  
cil.

The medical council alone has the right, in accordance with the provisions of the present act in that respect, to select and recommend to the board of management, the officers for the various medical and surgical services of the hospital, and also to demand their removal if need be.

Quorum of  
council.

The quorum of such council shall be three.

Term of office  
of medical  
board, &c.

**16.** The members of the medical board remain in office so long as they retain their qualification as such under the terms of the preceding section.

Absence, &c.

Absence of any member for one year, without permission of the medical board, from the meetings of such board *ipso facto* entails his dismissal.

Vacancies in  
council.

Every vacancy in the medical council is filled without delay by the medical board.

Duty of coun-  
cil in cases of  
vacancies in  
offices of hos-  
pital.

The medical council shall also submit without delay to the board of management the names of the physicians whom it deems qualified to fill any vacancy that has occurred in any service or department of the hospital.

Dismissal of  
members of  
medical board  
by board of  
management  
on recom-

**17.** Every member of the medical board who fails to observe the code of medical ethics which may be adopted by such board, or whose conduct is of a nature, in the opinion of the medical council, to render his presence on the board

useless or to injure the good reputation of the hospital, may, on the recommendation of the medical council, be dismissed by the board of management.

Nevertheless, if in the opinion of the board of management a member of the medical board has been guilty of a dishonorable act or of an act which may injure the hospital, the board of management may, without any recommendation from the medical council, dismiss such member of the medical board, but, in such case, and before doing so, a written charge specifying the cause of dismissal, must be brought against such member by a member of the board of management, and a copy of such charge, with a notice of the day when the board of management shall take cognizance thereof, must be sent at least eight days before the hearing of the complaint, to the accused member who has a right to be heard on the day specified on the complaint brought against him.

recommendation of medical council.

Power of board of management to act without recommendation of medical council.

Proviso.

**18.** In the event of the medical board neglecting to fill, in accordance with the provisions of this act, any vacancy that may have arisen on the medical board, within three months after the date when notice of such vacancy has been given it by the board of management, such board of management may, without any recommendation, appoint a qualified physician to fill such vacancy.

Power of board of management to appoint physicians in certain cases.

**19.** The annual meeting of the medical board takes place each year before the date fixed for the annual general meeting of the corporation, and, at such meeting, the board selects from among its members a president, a secretary and its four representatives on the board of management, as well as the members of the medical council.

When annual meeting of medical board takes place.

**20.** The medical board keeps minutes of its proceedings. It may adopt by-laws for the holding of its meetings and for determining the quorum thereof; for defining the duties of the consulting physicians, of the attending physicians, house physicians and of the other medical officers; for the admission of medical students to the wards of the hospital, and for that purpose fix the fees that they shall have to pay to the treasurer of the hospital; for the medical and surgical affairs of the hospital, of its branches and annexes, and for the performance of any duty or function imposed on the medical board by this act.

Minutes of board.

Power to make certain by-laws.

• In the case of non-paying patients who die in the hospital, the attending physician or chief house physician may hold or cause to be held a *post-mortem* examination of the body, if he consider that such *post-mortem* examination is desirable from a scientific point of view and to establish the true cause of death; and the medical board may make the

*Post-mortem* examinations.

regulations which it deems necessary for that purpose, provided that nothing in this section shall be interpreted contrary to the provisions of the law respecting anatomy.

**21.** The acts 44-45 Victoria, chapter 48 ; 44-45 Victoria, chapter 49, and 46 Victoria, chapter 64, are repealed, but such repeal shall not affect any vested rights or any obligation assumed by the corporation.

Present officers, &c.

Nevertheless, the officers of the corporation, the attending physicians and other medical officers of the hospital now in office, shall remain, as if they had been elected or appointed under the authority of this act, the whole subject to the above provisions as to their being replaced at the expiration of their term of office or in case of a vacancy.

Coming into force.

**22.** This act shall come into force on the day of its sanction.

## CAP. LXXXIII

An act to change the name of the Montreal Firemen's Benevolent Association, and to consolidate and amend the acts respecting the same

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** the Montreal Firemen's Benevolent Association has, by its petition, represented :

That William Spiers, M. Moses, David Brown, John Fletcher, Norton B. Corse, John Orr, Alex. Bertram, William Muir, Normand S. Frost, Olivier Rodier, W. Ewan, D. McNeven, James Morrison, Philip Groux, Abraham Wilson, John Ferguson, George Rogers, Robert Wright, John Perrigo, John R. Cameron, James Ruthven, Wm. Watson, Wm. Stewart, H. Colquhon, John Ranson, J. B. Tison, Arthur Samuels, S. Robinson, Samuel McConkey, Thomas Hood, P. C. Brouillette, were incorporated, under the name of the Montreal Firemen's Benevolent Association, by the act 10-11 Victoria, chapter 101 ; that such corporation was authorized to acquire and dispose of moveable and immoveable property, the annual value of the revenue whereof should not exceed four thousand dollars, to appear before the courts and to regulate the admission or expulsion of its members, and the various objects of the said incorporation ;

That the said association was authorized, by the act 14-15 Victoria, chapter 41, to establish a fund for assisting the widows and orphans of firemen who died in the performance of their duties ;

That the said association has made considerable progress ; that the number of its members has greatly increased, and that its present powers are insufficient ;

Whereas the said association has prayed for the passing of an act to change its name, and to establish a benefit fund for its members who are permanently or temporarily sick, a fund for the assistance of the widows, children and other relations of its deceased members, and a fund for rewarding those of its members who distinguish themselves by brilliant actions, and to grant various other powers necessary for these purposes, and it is expedient to grant its prayer ;

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The Montreal Firemen's Benevolent Association shall hereafter be called " The Montreal Firemen's Benefit Association." Name changed.

**2.** The Montreal Firemen's Benefit Association succeeds to the civil personalty of the Montreal Firemen's Benevolent Association, the whole of whose property, rights, actions and obligations are transferred to the latter from the date of the coming into force of the present act. The present members of the association and those who shall become members in virtue of the regulations shall compose the said Montreal Firemen's Benefit Associations. New association succeeds to old one. Members of association.

**3.** The Montreal Firemen's Benefit Association shall, under such name, exercise all the rights, acts and obligations conferred by the laws incorporating and other laws respecting the Montreal Firemen's Benevolent Association, and by this act. Rights to be exercised

Its corporate seat shall be in the city of Montreal.

Head office.

**4.** The association may acquire and dispose of all moveable and immoveable property by all methods of transferring property, up to the sum of one hundred thousand dollars. Power to acquire immoveables up to certain amount ;

It may loan the capital of its funds on first mortgages on hereditaments exceeding in value, by one-third, the amount of the mortgage, according to the municipal valuation roll then in force. To lend money.

**5.** The association may, likewise, establish, abolish, replace, modify or unite the various funds for assisting its members who are permanently or temporarily sick, the widows, children and other relatives of its deceased members, and for encouraging and rewarding brilliant deeds performed by its members. Association may establish funds for relieving sick members, &c.

It may, for such purpose, establish, abolish, decrease or increase any contribution or capitation which it may exact from its members for the establishing or maintenance of such funds.

It may also abolish, replace, decrease or increase the various funds now in existence of the Montreal Firemen's Benevolent Association.

The association shall determine the conditions on which the members or their wives, orphans and other relatives may participate in the benefits resulting from the establishment of such funds, or be temporarily or permanently deprived thereof.

It may also order the suspension of participation in the benefits resulting from such funds established or to be established, in the event of the insufficiency of the revenues, for any reason deemed valid by the absolute majority of the members of the association convened for such purpose.

Power to compromise with members.

**6.** The association may always compromise with any member who is entitled to participate in the benefits of any fund whatever.

By-laws respecting election of officers.

The association shall, as it deems proper, make by-laws, respecting the election of its officers, their number, their powers, the nature of their functions, the formalities to be observed in calling meetings of the association and of its officers and the mode of making and amending by-laws respecting the objects and powers of the association.

Quorum.

The quorum of the meetings of the association shall be twenty-five members; that of the meetings of its officers shall be a majority thereof.

Present officers.

**7.** The officers of the Montreal Firemen's Benevolent Association now in office shall so remain until the election of their successors under this act.

Present by-laws.

In the same manner, the by-laws in force shall so remain until they are repealed.

Notice convening meetings.

**8.** The meeting of the members of the association, for the adopting of by-laws under this act, shall be called by means of a notice published once in a French daily newspaper, and once in an English daily newspaper, of Montreal, eight days before such meeting, which notice shall also be posted up in the fire stations in Montreal.

What to contain.

Such notice shall state the place and the time of the meeting, and shall be signed by the president.

What may be done at meetings.

At one and the same meeting, new by-laws may be adopted, and the election of officers may be proceeded with, if the notice convening the meeting so state.

Power given to receive certain sum from

**9.** The association shall be entitled, immediately after the sanction of this act to receive the sum of ten thousand

dollars which the city of Montreal has already voted to assist it. city of Montreal.

**10.** All acts respecting the Montreal Firemen's Benevolent Association shall be repealed from the time of the coming into force of this act. Repeal of certain acts.

**11.** This act shall come into force on the day of its sanction. Coming into force.

## C A P. L X X X I V

An Act to incorporate *La Compagnie du Conservatoire de Montréal.*

[Assented to 15th January, 1898]

**W**HEREAS Achille Fortier and Emery Lavigne, professors of music, Joseph M. Fortier, manufacturer, François Xavier Prénoveau, contractor, and Godfroy Langlois, journalist, of the city of Montreal, have, by their petition, prayed to be incorporated under the name of "*La Compagnie du Conservatoire de Montréal*," and that such company be authorized to build and maintain theatres and a conservatory of music, to acquire and dispose of all moveable and immoveable property required for such purposes, and to issue bonds as may be required; Preamble.

Whereas it is expedient to grant the prayer of the petitioners;

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Achille Fortier and Emery Lavigne, professors of music, Joseph M. Fortier, manufacturer, François Navier Prénoveau, contractor, and Godfroy Langlois, journalist, of the city of Montreal, and all other persons who shall become shareholders in the company, are constituted a corporation under the name of "*La Compagnie du Conservatoire de Montréal*," to build and maintain theatres and a conservatory of music at Montreal. Persons incorporated. Name.

The corporation shall have its chief place of business in the city of Montreal. Head office.

The persons above named shall be the first directors thereof. First directors.

**2.** The company may acquire and dispose of immoveables to the amount of four hundred thousand dollars. Power to acquire, &c., immoveables, &c.

**3.** The capital of the company shall be five hundred thousand dollars, divided into shares of one hundred dollars each. Capital stock and shares.



Directors.

4. The directors of the Company shall be five in number until the contrary be declared by by-law.

Issue of bonds, &amp;c. Interest thereon.

5. The company may issue bonds to the amount of five hundred thousand dollars, each bond to be for at least twenty-five dollars; such bonds shall bear interest at three per cent. payable every six months.

How repayable.

These bonds shall, with or without premium, be repayable at a specified date without sinking fund, or with a sinking fund not exceeding one per cent., one-half of which shall be payable at the same time as each six months' interest.

Issue may be doubled.

The company, by by-law, may double the amount of the issue of the bonds, which it is authorized to issue, one-half whereof may be in bonds redeemable by lot with or without premium.

By-laws respecting.

The company may adopt by-laws respecting the issuing, redeeming or imputing of the proceeds of the sale and the drawing by lot of these various bonds.

Guarantee of certain issue.

In case of the issue of bonds redeemable by lot, the redemption thereof shall be guaranteed by the deposit in a bank of a sum of money or of securities representing one-half the price of sale of such bonds.

Law applicable.

6. With the exception of the provisions to the contrary hereinabove contained, the Joint Stock Companies' General Clauses Act shall apply to this company.

Coming into force.

7. This act shall come into force on the day of its sanction.

## C A P. L X X X V

An Act to constitute the *curé* of the parish of St. Roch de Québec a special corporation

[Assented to 15th January, 1898]

Preamble.

WHEREAS the Reverend Mr. Antoine Gauvreau, *curé* of the parish of St. Roch de Québec, has by his petition represented :

That the *Cercle Catholique de Québec*, a body corporate and politic, has made a general donation in trust of all its moveable and immoveable property to the Roman Catholic Archbishopial Corporation of Quebec, accepting thereof, for the purpose of transferring the same to the petitioner as *curé* of the parish of St. Roch de Québec, or to his successors in office, as soon as the petitioner shall have been constituted a corporation by an act of the Legislature ;

That one of the principal conditions of the said gift is, that the property, which constitutes the object thereof, shall after the payment of the debts, be applied to the foundation, under the direction of the *curé* of the parish of St. Roch de Québec, of a charitable institution, hospital and asylum in the parish of St. Roch de Québec, the whole as explained at length in the deed of gift to that effect dated the 28th October, 1897 ;

That various legacies and donations of sums of money have been made to him since he has become *curé* of the said parish, and in his capacity as such, for the use, advantage and benefit of the poor of the said parish and for other charitable purposes, in accordance with the intention and will of the testators or donors ;

That the said Reverend Mr. Antoine Gauvreau wishes to transmit the said property to his successors in office in the said parish, in order that such successors may lawfully possess, manage and administer the same in the future ;

That it is necessary in the interest of the poor, in order to carry out the objects above mentioned, and the better to promote charitable and benevolent works in the parish of St. Roch de Québec, and in order to avoid any difficulty which might arise after the death of the petitioner, with respect to the property above mentioned, that the *curé* of the parish of St. Roch de Québec. as well as his successors in office, be constituted a special and distinct corporation ;

That his Lordship the Administrator of the Diocese of Quebec approves of the petition made to that effect ;

Whereas, by such petition, the said Reverend Mr. Antoine Gauvreau has prayed that an act be passed to that effect, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The said Reverend Mr. Antoine Gauvreau, as well as each of his successors in office, as *curé* of the said parish of St. Roch de Québec, is constituted a corporation under the name of *Le Curé de Saint-Roch de Québec*. Curé of St. Roch declared a corporation.

Name.

2. The said corporation shall be vested with all the rights, powers and privileges granted to corporations by law. General powers.

3. It may appear before all courts of justice in this Province as plaintiff and defendant under its corporate name like any other person or corporation. May sue and be sued ;

4. It may possess, acquire and receive, by purchase, donation, will, legacy, assignment, exchange, and by any other legal title whatsoever, for the purposes of the corporation, moveable and immoveable property, hereditaments, consti- Possess, &c., moveable and immoveable property ;

tuted rents, public securities, life rents, and generally all moveable or immoveable property whatsoever, either as owner or in trust, the value of the immoveable property not to exceed two hundred and fifty thousand dollars.

Sell, &c.,  
same, &c.

It may also sell, hypothecate, alienate, assign, transfer, lease or exchange all such moveable and immoveable property, or otherwise dispose of the same by any title whatsoever, and borrow all sums of money for the purposes of the corporation.

Certain trusts  
devolve to  
corporation.

**5.** From and after the coming into force of this act, all moveable or immoveable properties bequeathed or given to the Reverend Mr. Antoine Gauvreau, in his said capacity of *curé* of the parish of St. Roch de Québec, are transferred to the corporation, which shall enjoy, do with, dispose of, administer, manage and employ the same according to the intentions of the donors and testators.

Persons, &c.,  
holding in  
trust, &c.,  
authorized to  
pay over to  
corporation.

**6.** The persons or corporations to whom the moveable or immoveable properties have been given or bequeathed, either as owners or in trust, for the purpose of administering and managing the same, and of giving the revenues or interest thereof to the Reverend Mr. Antoine Gauvreau in his said capacity, or to his successors in office, are authorized to transfer, assign and make over such moveable or immoveable properties to the corporation hereby constituted, which is authorized to give an acquittance therefor.

What corpo-  
ration may  
possess

**7.** The corporation shall have the possession, enjoyment and administration of all the property or things whatsoever given or bequeathed, or which may be hereafter given or bequeathed, for the poor of the said parish and for other charitable purposes under any will or donation.

Receipts by  
corporation.

**8.** The receipts and acquittances, given by the corporation, for all sums of money, debts, claims, revenues or interest whatsoever, bequeathed or given for the use, benefit and advantage of the poor of the said parish, and for other charitable purposes and due under wills or donations as aforesaid, by any person, firm or corporation, shall be valid to all intents and purposes.

Provido in  
case cure is  
vacant.

**9.** If, for any cause whatsoever, the cure of the said parish should become vacant, the corporation shall be represented under its corporate name by the priest or other clergyman canonically performing, during such vacancy, the duty of *curé* in the said parish, until a *curé* has been regularly appointed by the competent Roman Catholic ecclesiastical authorities.

**10.** The corporation shall render an account of its operations, when required so to do, to the Roman Catholic ecclesiastical authority having jurisdiction over the parish of St. Roch de Québec.

Account to ecclesiastical authorities.

**11.** It cannot alienate or hypothecate its property without the authorization of the said competent Roman Catholic ecclesiastical authority.

Consent required before property can be alienated, &c.

**12.** Whenever it shall be thereunto required by the Lieutenant-Governor or the person administering the Government of this Province for the time being, the corporation shall render unto him a faithful account of all the moveable and immoveable property possessed by it, as well as of the revenues derived therefrom, and of its receipts and expenditures.

Return to Lieutenant-Governor.

**13.** The provisions of this act shall in no wise affect the legal rights of third parties.

Rights of third parties and of *curé* and church wardens of parish, not affected.

Neither shall such provisions affect the *curé* and churchwardens of *l'œuvre et fabrique* of the parish of St. Roch de Québec.

**14.** This act shall come into force on the day of its sanction.

Coming into force.

## CAP. LXXXVI

An Act to authorize the Church Society of the Diocese of Quebec to deal with certain funds in its hands in a certain way and for other purposes

[Assented to 15th January, 1898]

**WHEREAS** the Church Society of the Diocese of Quebec has, by its petition, prayed for authority to consider certain local endowment funds, now in its hands or which may hereafter come into its hands, as one fund for the sole purpose of distributing, proportionately over the whole, any loss in the capital which may occur through failure in investment, and of paying out all interest received thereon, proportionately, at a uniform rate upon the capital of each such local endowment fund, and has also prayed for authority to invest its funds in certain securities; and it is expedient to grant the said prayer;

Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The Church Society of the Diocese of Quebec is hereby authorized to consider all the local endowment funds, now in

Local endowment funds to be consid-

ered as one  
fund for cer-  
tain purposes.

its hands or which may hereafter be placed in its hands, as one fund for the purposes :

(a) Of distributing, proportionately over the whole, any loss in capital that may occur through failure of investment ;

(b) Of paying out all the interest received thereon, proportionately, at a uniform rate upon the capital of each local endowment fund.

Provided there be nothing in the instrument creating such local endowment fund to the contrary.

Society may  
make certain  
investments.

**2.** Notwithstanding the provisions of article 981<sup>o</sup> of the Civil Code, the society is hereby authorized to invest money, held by it as administrator or trustee thereof, in municipal stock or debentures, in real estate in the Dominion of Canada, or on first privilege or hypothec upon real estate in the Dominion of Canada, to an amount not exceeding three-fifths of the municipal valuation of such real estate, or in bonds of commercial corporations in the Dominion of Canada.

Certain  
investments  
heretofore  
made declared  
valid.

All investments made up to date, outside the limits of the Province, are declared to be legal and valid as regards the authority of the society to make them.

45 V., c. 88,  
repealed.

**3.** The act 45 Victoria, chapter 88, is repealed.

Coming into  
force.

**4.** This act shall come into force on the day of its sanction.

## C A P. L X X X V I I

An Act to consolidate and amend the act respecting *Les Clercs Paroissiaux ou Catéchistes de St. Viateur*

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS *les Clercs Paroissiaux ou Catéchistes de St. Viateur*, incorporated as a public body by an act of the Parliament of the former Province of Canada, have by their petition represented :

That their institution fulfils the object of its foundation ; that it has extended through the Province and multiplied its charitable and benevolent works ;

Whereas they have prayed for more ample and better defined powers, and it is expedient to grant their prayer by consolidating and amending the acts that govern them ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Corporation  
constituted.

**1.** *Les Clercs Paroissiaux ou Catéchistes de St. Viateur* constitute a public body which, under such name, has per-

petual succession and may have a common seal and modify the same at will ; it may appear before the courts both as plaintiff and defendant, as any other person may do.

**2.** The chief place of business of the corporation is in the town of Joliette. Chief place of business.

The corporation shall have a council of obedience, with a superior or director, as required by its rules and regulations. Council of obedience.

The said council is authorized to make all necessary statutes and by-laws respecting the election and number and powers of officers, the admission and withdrawal of members from the said institution, the manner of convening the meetings of the council and of the corporation, the date when the meetings shall be held, the number of members necessary to constitute a regular meeting, the powers and attributes of the council, and generally all other by-laws necessary for the administration of the property and affairs of the institution, the direction and internal government of the members, the establishment of the corporate seat, and of branches, and it is authorized to change and repeal the same from time to time ; it exercises all the rights granted by law to the corporation. Powers of council.

**3.** The council of the community may appoint such officers, procurators or administrators as may be necessary for the internal government thereof, and for the proper administration of the property and affairs of the corporation, both at the principal establishment and at the branches of the said institution. Appointment of officers.

**4.** The corporation shall have power to purchase, acquire, possess, hold, have, accept and receive, for the requirements and objects of the corporation, lands, tenements, hereditaments, constituted and other rents, and generally all moveable and immoveable property whatsoever, in trust or otherwise, either by purchase, gift, legacy, donation or otherwise, and the same may sell, alienate, assign, lease, transfer, exchange, or otherwise dispose of, by any title whatsoever, for the same purposes ; provided that the annual value or revenue from the real estate possessed by it, not including that occupied by itself for the requirements of the various establishments which it now has or may hereafter found, shall not exceed the sum of one hundred thousand dollars for the principal establishment, and fifteen thousand dollars for each branch. Power to acquire, &c., real estate, &c. Proviso.

**5.** The corporation shall have the right to establish houses or establishments for the accomplishment of its work of instruction, education, charity and benevolence, of carrying on the industries and manufactures now in operation and other similar ones in its various establishments, subject, how- Power to establish certain houses, &c., for certain purposes.

ever, to the ordinary rules and regulations, both provincial and municipal, provided the proceeds thereof be exclusively employed in the maintenance of its works.

Chapels of  
corporation  
not liable to  
certain taxes.

6. The properties serving as houses of the corporation in which they shall have built chapels for divine worship, shall be exempt from the taxes levied for the construction and repair of churches and presbyteries.

Registers.

Mortuary registers may be kept in such houses.

Cemetery.

The corporation may have a special cemetery for its own use.

12 V., c. 144,  
40 V., c. 58,  
43-44 V., c.  
76, modified.

7. The act 12 Victoria, chapter 144, in so far as this Province is concerned, the acts 40 Victoria, chapter 58, and 43-44 Victoria, chapter 76, of this Province, are modified, in so far as they may be inconsistent with this act.

Coming into  
force.

8. This act shall come into force on the day of its sanction.

## CAP. LXXXVIII

An Act to amend the act 52 Victoria, chapter 94, respecting the *Sœurs de la Charité de la Providence* and the Longue Pointe Insane Asylum

[Assented to 15th January, 1898]

Preamble.

WHEREAS the community of the *Sœurs de la Charité de la Providence* has by its petition represented that it has undertaken the construction of new buildings for the care of the insane at Longue Pointe, at a distance of about a mile from its present buildings ;

That the two portions of the said establishment are to be in constant and rapid communication ;

That it will be very advantageous to effect such communication by means of an electric tramway from the river St. Lawrence to its new buildings ;

Whereas it has applied for the powers necessary for such purpose, and it is expedient to grant its prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

52 V., c. 94,  
amended.

1. The act 52 Victoria, chapter 94, is amended by adding thereto the following sections after section 1 :

Authority  
given to build,  
&c., tram-  
way ;

" 1a. It is also authorized to construct and operate a tramway on the level over its present farms from the river St. Lawrence to its new buildings at Longue Pointe and, for that purpose, to exercise the powers conferred by the law

respecting railway companies in this Province for the purpose of their establishment and not for a general railway traffic.

"1b. It is authorized to enter into agreements with any other companies or corporations, subject to the agreement made with the Chateauguy and Northern Railway Company, on the 26th October, 1897, which agreement is ratified, in so far as may be necessary.

To enter into certain arrangements.

"1c. In case no agreement can be made with the turnpike road trustees, as to crossing over their road, it is authorized to proceed by expropriation.

Expropriation in certain event.

"1d. Nothing in this act shall authorize the community to any act violating the acquired rights of any existing railway company."

Acquired rights of certain railway companies not to be violated.

2. This act shall come into force on the day of its sanction.

Coming into force.

## CAP. LXXXIX

An Act to incorporate the *Sœurs du Précieux Sang de Nicolet*

[Assented to 15th January, 1898]

WHEREAS there has existed since the twenty-eighth of April, one thousand eight hundred and ninety-six, in the town of Nicolet, in the Province of Quebec, a branch of the community of nuns called "*Sœurs du Précieux Sang de Saint-Hyacinthe*," the object of whose members is to devote themselves in common to such works of piety, of mercy and of charity, as may be consistent with the contemplative life that they lead ;

Whereas the said branch or community of "*Le Précieux Sang de Nicolet*" has, through those of its members who are mentioned below, represented that the incorporation of the community would assure and increase the advantages resulting therefrom, and has prayed to be constituted a corporation, in accordance with the regulations and provisions hereinafter mentioned, and whereas it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Dames Heloise Barbeau, in religion Sister St. Stanislas de Kotska; Eugénie Ranger, in religion Sister Marie des Cinq Plaies ; Marie de Lanaudière McConville, in religion Sister Marie de la Croix ; Vitaline Barbeau, in religion Sister Marie de la Redemption ; Marie Larocque, in religion Sister

Persons incorporated.



Marie de l'Eucharistie ; Marie Louise St. Germain, in religion Sister Agnès de Jésus ; Alexandrine Caouette, in religion Sister Aurelie des Calvaires ; Marie Rose Guertin, in religion Sister St. Joseph du Précieux Sang ; Anna Letendre, in religion Sister de l'Immaculée Conception ; Anastasie Lampson, in religion Sister Marie de Bonsecours ; Rose Anna Lizot, in religion Sister Georgianne ; Ida Bergeron, in religion Sister Marie ; Theresa Gravel, in religion Sister Marie Angela ; Marie Lafleur, in religion Sister Marie Louise, all actual members of the community of *Le Précieux Sang de Nicolet*, and all other persons who may hereafter become members of the community, are constituted a corporation, under the name of "*Sœurs du Précieux Sang de Nicolet*."

Name.

General powers.

**2.** Under such name the corporation hereby constituted shall have perpetual succession.

It may also have a common seal, which it may change at will, appear before the courts in the same manner as any person, borrow, sign bills of exchange and promissory notes, possess, accept and acquire, by any legal title, moveable and immoveable property, the annual value whereof shall not exceed ten thousand dollars, and may sell, alienate, hypothecate, transfer, lease, exchange or otherwise dispose of the same by any title whatsoever.

Corporate seat.

**3.** The corporate seat of the community shall be in the town of Nicolet.

Power to pass regulations, &c.

**4.** It may adopt regulations and statutes for the government of the community, the administration of the affairs of the corporation and the management of its moveable and immoveable property.

Quorum of corporation.

**5.** Three members of the community, the Superioress, the Assistant and the Mistress of the Novices, shall constitute a quorum for transacting all the affairs of the corporation.

Return to Legislature.

**6.** The corporation shall, whenever thereunto required by the Lieutenant-Governor in Council, transmit to each branch of the Legislature of this Province, a detailed statement of the real estate held by it under this act.

Coming into force.

**7.** This act shall come into force on the day of its sanction.

## CAP. XC

An Act to incorporate the *Institut des Petites Sœurs Franciscaines de Marie*

[Assented to 15th January, 1898]

**WHEREAS** *Les Petites Sœurs Franciscaines de Marie* Preamble.  
have, by their petition, prayed to be incorporated, and it is expedient to grant their prayer;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Marie Bibeau, in religion Sister Anne de Jésus; Rose Anna Marcil, in religion Sister Marie Egide d'Assise; Marie Elzire Roy, in religion Sister Marie Thérèse de Jésus; Albertine Riopel, in religion Sister Marie Alphonse de Liguori; Marie Cordelia Robillard, in religion Sister Marie Alexis; Marie Etudiante Blais, in religion Sister Marie Zotique; Marie Zelia Perron, in religion Sister Marie Frédéric; at present residing in the parish of St. Peter and St. Paul, called Baie St. Paul, in the county of Charlevoix; Marie Louise Rondeau, in religion Sister Marie Joseph; Lumina Bolduc, in religion Sister Marie Dominique; Emma Decelles, in religion Sister Marie des Sept Douleurs; all three at present engaged in keeping a charitable asylum in the town of Worcester, in the State of Massachusetts, one of the United States of North America, members of the institute called "*Les Petites Sœurs Franciscaines de Marie*," and all such persons as are now or may hereafter form part of the said institute, in accordance with its rules, statutes and regulations, are constituted a corporation, under the name of "*Les Petites Sœurs Franciscaines de Marie*." Persons incorporated. Name.

**2.** The corporation hereby constituted shall have perpetual succession. It may have a common seal and alter the same at will; appear before the courts as any person may do; borrow money; sign bills of exchange and promissory notes; possess, accept and acquire, by any legal title, moveable and immoveable property, which it may sell, alienate, hypothecate, assign, lease, transfer, exchange or otherwise dispose of, by any title whatsoever; provided always that the annual revenue from the said immoveables, held by the corporation for purposes of revenue, shall not exceed twenty thousand dollars. General powers.

**3.** The corporate seat of the corporation shall be in the parish of St. Peter and St. Paul, called Baie St. Paul, in the county of Charlevoix, Province of Quebec, but it may be changed by the corporation, if it deem necessary, upon giving notice thereof in the *Quebec Official Gazette*. Head office. Change thereof.

Rules to govern community.

**4.** The corporation shall be governed according to the rules of the community, and it may adopt rules or regulations which it may, afterwards, modify or repeal, respecting the administration of its property; the management and government of its houses or establishments; the election, number and powers of its directors and officers; the duties of its members; their admission and retirement, and generally adopt all regulations not contrary to law in connection with the objects of the corporation.

Establishment of novitiates, &c.

**5.** The corporation may found, establish and maintain, in any place in this Province, novitiates and provincial communities or branches, and may erect such buildings as may be suited for its purposes, especially a chapel to which the public may be admitted, in every locality where it may have an establishment.

Appointment of officers.

**6.** The corporation may appoint officers, procurators or administrators from among its members and define their powers. It may likewise appoint procurators outside of the institute.

Authenticity of certain documents.

**7.** Every document bearing the signature of the lady superior and four councillors of one of the establishments of the corporation shall be considered as binding upon the corporation; provided that, in the case of a document issued from a branch establishment, it shall also bear the signature of the *Supérieure Majeure*, residing at the corporate seat of the institute, or be confirmed by her, by means of a separate document.

Power of corporation to teach children, &c.

**8.** The corporation may, with the consent of the ecclesiastical authorities, do every thing connected with its constitution, such as the teaching of children, elementary and superior instruction, the establishment of novitiates, orphan asylums, day refuges or *crèches*, schools (free or otherwise), boarding schools, work-rooms, schools of house-keeping, industrial and reformatory schools, schools for the instruction of deaf-mutes and the blind, asylums, refuges for aged or infirm persons of both sexes, hospitals for the sick, dispensaries, asylums for idiots and the insane of both sexes.

Powers, &c., over inmates, &c.

**9.** The corporation and its members shall, as regards persons admitted to their refuges, hospitals, schools or asylums, have the rights, powers and privileges granted to establishments of the same kind in the Province.

What business corporation may engage in.

**10.** The corporation may exercise such occupations as may be calculated to assist in maintaining it, such as receiving ladies or lay persons, who wish to board in its

houses, carrying on industries and disposing of the proceeds thereof; provided it complies with the laws of the Province and the directions of the ecclesiastical authorities.

**11.** The corporation may have and establish a vault or cemetery on the grounds of each of its establishments for the burial of remains of members; provided it complies with the laws, prescriptions and regulations of the civil and religious authorities.

**12.** The corporation shall, when required by the Lieutenant-Governor in Council, submit to each of the three branches of the Legislature a detailed statement of the immoveables which it shall possess in virtue of the present act.

**13.** This act shall come into force on the day of its sanction.

## C A P. X C I

An Act respecting the succession of the late Edouard Narcisse de Lorimier

[Assented to 15th January, 1898]

**W**HEREAS Joseph Robillard, trader, of the city of Montreal, in his capacity of testamentary executor and administrator under the will hereinafter set forth has, by his petition, represented :

That the late Edward Narcisse de Lorimier, on the 5th of February, 1878, at Laprairie, in the county of Laprairie, made his solemn will, containing, among other stipulations, the following :

“ As to the residue of all the property generally whatsoever that I may leave at my death, both moveable and immoveable, to whatever sum the same may amount, or in whatever they may consist and be worth, in whatever places they may be situated, I give and bequeath the whole of them, without exception, or reserve to my grandchildren, born and to be born in lawful marriage of my said children, James, Hermine and Anne, to be equally divided between them by heads without regard to the right of representation, constituting them for that purpose my universal legatees, jointly and each for his share.

“ If any one of them should die before the partition of the said property should be made, I desire his share to be taken by the others as an increment, so that they may enjoy, use, do with, dispose and take possession of all my property from the date hereinafter fixed for each of them.

" My intention is that my administrator shall invest my moneys in mortgages or other securities which he may deem sufficient, and that he shall employ the revenues for the instruction and education of my universal legatees, keeping an account of the sums he shall pay for each of them. As to the revenues which will not be employed for that purpose, they shall be capitalized and added to the amount of the universal legacy which I have just made.

" As soon as one of my universal legatees shall have attained his thirtieth year, my administrator shall make up the total of the amount composing the universal legacy which I have just made and all of the revenues that my administrator shall have received, and he shall divide such total equally between the children then surviving or who, having died, may have left descendants, issue of their lawful marriages, the children of my grandchildren receiving the share of their author by right of representation.

" Out of the share of such total coming to each one, my administrator shall retain an amount equal to that which shall have been expended for the instruction of such child, in order that there may be equality between them, and shall pay their share of the capital to each of my universal legatees as soon as he shall have attained his thirtieth year. The share of those who are deceased shall be paid to the tutor of their descendants at the date when their predecessor would have attained such age."

That by the same will the late Edward Narcisse de Lorimier made a special legacy in favor of one of his children, Arthur, as follows :

" In case my other son Arthur should ever return to the country, from which he is absent, and from whom I have received no news for seven years, I give and bequeath to him the sum of two thousand dollars, which shall be paid to him by my administrator hereinafter named, within a reasonable delay from the date of his arrival."

That the testator died on the 14th of December, 1882 :

That some of the testator's grandchildren are minors ;

That the said Arthur de Lorimier has been absent from the country for over thirty years, and his sisters believe that he is dead ;

That amongst the property left by the testator there are shares of the Banque du Peuple, of the city and district of Montreal, as well as rights in the seigniorship of Neuville, and the rights in constituted rents due by Robert Cowan and others ;

That, in accordance with the above stipulations, the testamentary executor, the present petitioner, rendered a statement of account and made a partition establishing the rights of each of the grandchildren of the late Edward Narcisse de Lorimier, on the 23rd September, 1896, before L. O. Héty, Notary, Montreal, district of Montreal, the date

at which one of the grandchildren of the late Edward Narcisse de Lorimier had attained the age of thirty years ;

That the said account, statement and partition were duly accepted by all the parties interested, as well personally as by their tutors, as the whole appears by the deed of deposit, dated the 23rd September, 1896, of the statement of account, by Joseph Robillard, and of a settlement of accounts and an acceptance of account rendered, dated 26th October, 1896, by Blanche de Lorimier and others, and an acquittance in favor of Joseph Robillard ;

That it is in the interest of all the parties interested that the testamentary executor and administrator pay over, at once, to the said parties interested or to their representatives, the amounts which are respectively due to them, in virtue of the statement, account, and partition above mentioned ;

That, inasmuch as some of the grandchildren of the late Edward Narcisse de Lorimier are minors, who cannot touch such sums before the age of thirty years, the cost of administration will amount to a considerable sum, and the said grandchildren will be deprived of the sums so spent ;

That the sums coming to each of the grandchildren are so small that it would be much more profitable to them if such grandchildren could receive them immediately ;

That it would also be advantageous to liquidate the said succession, so that the grandchildren might immediately receive the proceeds thereof ;

Whereas the testamentary executor has prayed, by his petition, that power be granted to him for the purposes above mentioned, and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The testamentary executor and administrator of the estate of the late Edward Narcisse de Lorimier is authorized to sell, within the delay of six months from the coming into force of this act, the rights which the said succession may have against the Banque du Peuple, of Montreal, and its rights in and to the seigniorship of Neuville, and to the constituted rents due by Robert Cowan and others, of Huntingdon, in the district of Beauharnois.

Authority to  
sell certain  
rights.

2. The said testamentary executor may pay the proceeds of the sales of these rights to the grandchildren of the late Edward Narcisse de Lorimier, according to their respective rights, in virtue of the above mentioned will.

Payment of  
the proceeds.

3. The said testamentary executor shall be considered as being in final possession of the sum of two thousand

Distribution  
of certain sum  
authorized,  
&c.

dollars, bequeathed conditionally to Arthur de Lorimier, who is now absent, and may distribute the same, like all the other property composing the aforesaid universal legacy, to the testator's grandchildren, according to their rights under the same will.

Effect of putting in possession.

Such putting in possession shall have the same effect and shall be subject to the same recourse, as if made by a court of justice under the authority of the Civil Code.

Certain statement and partition declared final.

4. The statement or partition made by Joseph Robillard on the 23rd September, 1896, and deposited the same day with L. O. Hétu, Notary, at Montreal, is declared final.

Payment to minor children, &c., authorized.

5. The testamentary executor of the said succession may pay, to the said minor children or to their representatives, the sums which may be due them, according to the statement and partition above mentioned.

Discharge of testamentary executor.

6. The testamentary executor, after the payments made in virtue of the provisions of this act, shall be discharged, both personally and as testamentary executor and administrator, to all intents and purposes, on the final acquittance given by the grandchildren who are capable of giving it, or by the tutors of those who are still minors.

Authority given to grant discharge.

7. The grandchildren who are of age and the tutors of the minor children are authorized to receive the above amounts and to give an acquittance and discharge therefor to the testamentary executor and administrator.

Coming into force.

8. This act shall come into force on the day of its sanction.

## C A P. X C I I

An Act to authorize Joseph Alexandre Adolphe Birtz, *dit* Desmarteau *alias* Alexandre Desmarteau, in his capacity of tutor to Louis Joseph Arthur Birtz *dit* Desmarteau, his minor brother, to sell, *en bloc* or separately, the property of the late Charles Birtz *dit* Desmarteau, his father

[Assented to 15th January, 1898]

Preamble.

WHEREAS Charles Birtz *dit* Desmarteau, accountant, Marie Evelina Birtz *dit* Desmarteau, Marie Louise Philomène Georgianna Birtz *dit* Desmarteau, the two latter spinsters, and Joseph Alexandre Adolphe Birtz *dit* Desmarteau, *alias* Alexandre Desmarteau, accountant, all of the city of Montreal, the latter acting in his own individual name and

as tutor appointed in law at Montreal, on the sixth of July, 1897, to his minor brother Louis Joseph Arthur Birtz *dit* Desmarteau, aged about eighteen years, all five being the only children issue of the marriage of the late Charles Birtz *dit* Desmarteau, in his lifetime, accountant, of the city of Montreal, with the late Dame Marie Evelina Petit *dit* Lau-mière, and as such the sole lawful heirs of the said late Charles Birtz *dit* Desmarteau, their father, who died intestate at Montreal, on the 20th June, 1897, have, by their petition, represented :

That amongst other property belonging to the estate of the said Charles Birtz *dit* Desmarteau, senior, are certain moveables and immoveables, bank shares, stocks of railway companies, and other shares in various companies and particularly :

A part of lot No. 36 of the parish of Boucherville, in the county of Chambly, and the subdivisions thereof ;

Lot No. 55 of the official plan and book of reference of the parish of Boucherville ;

Lots No. 307 and 308 and part of lot No. 316, and lot No. 7 of the official subdivision of Lot No. 341, of the official plan and book of reference of the parish of St. Antoine de Longueuil ;

The undivided half of lots Nos. 852 and 856 of the official plan and book of reference of St. Mary's ward in the city of Montreal ;

Lot No. 110 of the official plan and book of reference of the parish of St. Laurent and the subdivisions thereof ;

Lots Nos. 374 and 375 of the official plan and book of reference of the parish of Sault au Récollets ;

The undivided third of lot No. 235 and the subdivisions thereof of the official plan and book of reference of the parish of La Pointe aux Trembles ;

The undivided three-sixteenths of lot No. 37 and the subdivisions thereof of the official plan and book of reference of the parish of St. Geneviève ;

That the property belonging to the said estate cannot, in the ordinary course of law, be sold with advantage to the interested parties without heavy expense and great loss for the following among other reasons : because the immoveables of the said estate consist in a great measure of an undivided portion of several hundreds of lots acquired by the deceased jointly with other persons, and that such lots have been subdivided for speculative purposes and are now on the market ;

Whereas the petitioners have accepted the said estate to wit :

1. The said Charles Birtz *dit* Desmarteau, junior, Joseph Alexandre Adolphe Birtz *dit* Desmarteau, Marie Evelina Birtz *dit* Desmarteau and Marie Louise Philomène Geor-



gianna Birtz *dit* Desmarteau, as established by the notice of death, and act of heredity received before Amable Archambault, N. P., on the 12th July last under the number 13,601 of his minutes ;

2. The said Joseph Alexandre Adolphe Birtz *dit* Desmarteau, in his capacity of tutor to the said Louis Joseph Arthur Birtz *dit* Desmarteau, thereunto duly authorized for and on behalf of the latter under a deed of acceptance of succession before Amable Archambault, N.P., on the 28th July last under the No. 13,607 of his minutes ;

Whereas they have prayed for the above reasons that the said Joseph Alexandre Adolphe Birtz *dit* Desmarteau *alias* Alexandre Desmarteau, in his capacity of tutor to the said Louis Joseph Arthur Birtz *dit* Desmarteau, be authorized to sell jointly with the other heirs of the said late Charles Birtz *dit* Desmarteau, senior, the moveables, immoveables, bank shares, railway stocks and other shares in various companies, belonging to the estate of the latter, *en bloc* or separately, for cash or on credit, as they may deem expedient, with the consent of the subrogate tutor to the said minor, without the authorization of a family council or other formality or the order of a court of justice or of a judge ; and whereas it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Sale of property, moveable and immovable, authorized.

1. The said Joseph Alexandre Adolphe Birtz *dit* Desmarteau *alias* Alexandre Desmarteau, accountant, of the city of Montreal, in his capacity of tutor to the said Louis Joseph Arthur Birtz *dit* Desmarteau, is authorized to sell, jointly with the other heirs of the said late Charles Birtz *dit* Desmarteau, senior, in his life time, accountant, of the city of Montreal, the moveables, the immoveables above described, the bank shares, railway stock and other shares in various companies belonging to the estate of the latter, *en bloc* or separately, for cash or on credit, as they may deem expedient, with the consent of the subrogate tutor to the said minor, without the authorization of a family council or other formality or order of a court of justice or a judge.

Coming into force.

2. This act shall come into force on the day of its sanction.

## CAP. XCIII

An Act to authorize the Bar of the Province of Quebec to admit Pierre Bouffard amongst its members

[Assented to 15th January, 1898]

**W**HEREAS Pierre Bouffard, of the city and district of Quebec, a practising notary, has, by his petition, represented :

That he has followed a complete course of classical studies, on the completion of which the Laval University conferred upon him the degree of Bachelor of Arts ;

That he was lawfully admitted to the study of the notarial profession in the month of October, 1888, and to practise the same in the month of October, 1891, and from that time he has practised as a notary in Quebec ;

That further he has studied the procedure of the law courts of the Province of Quebec in an advocate's office, from the month of May, 1893, and has thereby acquired much experience and knowledge ;

Whereas he has prayed for the passing of an act, authorizing the Bar of the Province of Quebec to admit him among its members, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Bar of the Province of Quebec is authorized to admit Pierre Bouffard among its members, after the ordinary examination for admission to practice ; and as soon as he shall have been so admitted as an advocate he shall cease to practise as a notary.

Bar authorized to admit P. Bouffard after examination, &c.

2. This act shall come into force on the day of its sanction.

Coming into force.

## CAP. XCIV

An Act to authorize the Bar of the Province of Quebec to admit David Henri Dubé amongst its members, after examinations

[Assented to 15th January, 1898]

**W**HEREAS David Henri Dubé, of the city of Quebec, has, by his petition, represented :

That he has followed a complete course of classical studies at the Quebec Seminary ;

That he has studied law from the month of April, 1890, up to the present date in the office of the Honorable Jean

Blanchet, François Xavier Drouin, Queen's Counsel, and Arthur Lachance, esquire, all practising advocates of the city and district of Quebec ;

That, although he has studied in the office of the above mentioned patrons during a period of time longer than that fixed by law, he cannot lawfully be admitted to the practice of the profession of advocate by the Bar of the Province of Quebec, because he was unable for special reasons to pass the examination required for admission to the study of the profession ;

That the majority of the members of the Bar of the district of Quebec have approved and recommended the petition of the said David Henri Dubé ;

Whereas he has prayed, by his petition, that an act be passed to authorize his admission to the practice of law and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Bar authorized to admit D. H. Dubé, after examinations.

1. The Bar of the Province of Quebec is authorized to admit David Henri Dubé among its members, and to permit him to practise the profession of advocate, as soon as he shall have passed the examinations for study and for practice required by the law respecting the Bar of the Province of Quebec.

Coming into force.

2. This act shall come into force on the day of its sanction.

## CAP. XCV

An Act to authorize the Bar of the Province of Quebec to admit Henry J. Elliott amongst its members, after obtaining a degree of Bachelor of Civil Law and after examination

[Assented to 15th January, 1898]

Preamble.

WHEREAS Henry J. Elliott, of the city of Montreal, student-at-law, hath by his petition represented :

That for the space of six years he has been continuously engaged in the duties of a law student with Messrs. Taylor & Buchan, advocates, of the city of Montreal ;

That during the past two years he has attended the law lectures at McGill University, with the intention of proceeding to the degree of Bachelor of Civil Law ;

That he passed the preliminary examination to the study of law in January, 1897, becoming regularly indentured at that date, and, in the ordinary course, would be unable to present himself for examination for admission to practise law until January, 1900 ;

Whereas he hath prayed that the Bar of the Province of Quebec be authorized to admit him to the practice and profession of the law, after obtaining the said degree and after examination ; and whereas since the presentation of the said petition, the General Council of the Bar has approved of the same by resolution dated the 20th December, 1897 ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Bar of the Province of Quebec is authorized to admit Henry J. Elliott to the practice of the profession of the law so soon as he shall have obtained a degree of Bachelor of Civil Law and shall have passed the requisite Bar examination.

Bar authorized to admit H. J. Elliott after examination.

2. This act shall come into force on the day of its sanction.

Coming into force.

## CAP. XCVI

An Act to authorize the Bar of the Province of Quebec to admit George Albini Lacombe, of Montreal, to the study of the legal profession

[Assented to 15th January, 1898]

**W**HEREAS, George Albini Lacombe, a member of the Legislative Assembly, and already a Doctor of Medicine of Montreal, has, by petition, represented :

Preamble

That he wishes to undergo a course of legal studies, so as to be admitted a member of the Bar of the Province of Quebec ;

That, on the 1st day of September, 1897, he entered into indentures, for that purpose, with Louis Conrad Pelletier, Esquire, advocate and Queen's counsel, of Montreal, by deed to that effect, before George Hector Demers, notary, of Montreal ;

That he has already, in May, 1883, been duly examined as to his knowledge, aptitude and morals, on sciences and letters with success, for his admission to the study of medicine, as by law provided in such cases ;

That he has thereby established that he possessed the qualifications and capacity required therefor ;

That the matters on which he has so passed such examinations are the same as those required for admission to the study of law ;

That he has thereby given proof of all the qualifications and capacity required for his admission to the study of the legal profession ;

That, for special reasons, he was unable to present himself at the last examination in the month of July, 1897, for the purpose of undergoing examination for his regular admission to the study of law ;

That he has gone through a course of classical studies ;

That he has commenced and is now pursuing his legal studies at Montreal, under the patronage of the said Louis Conrad Pelletier, advocate and Queen's counsel, and at the Faculty of Law of Laval University, since the first of September, 1897 ;

That the fact of his not having passed the said examination, in July, 1897, for admission to the study of law, would expose him to a delay which would be injurious to his admission as a member of the Bar of the Province of Quebec ;

That he is thirty-three years of age and has been a practising physician since 1886 ;

Whereas he has prayed that an act be passed authorizing the Bar to admit him to study ; and whereas the General Council of the Bar of this Province has approved the petitioner's application, by resolution, dated the 21st December, 1897 ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Bar authorized to admit G. A. Lacombe to study.

**1.** The Bar of the Province of Quebec is authorized to admit the said George Albini Lacombe to the study of the legal profession in the Province of Quebec, and to consider him as such student-at-law with a right to all the legal benefits and privileges connected with such study, as if he had been admitted in the usual way, such admission to take effect from the 6th July, 1897, the date of the last examinations for admission to the study of law.

Coming into force.

**2.** This act shall come into force on the day of its sanction.

## C A P. X C V I I

An Act to authorize the Bar of the Province of Quebec to admit Ernest Lapointe amongst its members

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS Ernest Lapointe, of the city and district of Quebec, student-at-law, has, by his petition, represented :

That he has followed the law course of Laval University in Quebec, from the first of October, 1895, and will have completed his University studies in the month of June, 1898 ;

That from the same date he has studied as a student, in the office of Messrs. Lemieux and Lane, advocates, of Quebec, and will have completed his three years as student in the month of June next ;

That he is a Bachelor of Arts of Laval University and, consequently, could have been admitted to the study of law on presentation of his diploma in the month of July, 1895, but that he was prevented from so doing by circumstances beyond his control ;

That he was duly admitted to the study of law in the month of July, 1896, but that, through error, his certificate was not registered ;

That for the reasons above mentioned it will be impossible for him to present himself before the Bar of this Province to be admitted to the profession of advocate before three years, although he possesses all the requisite qualities ;

Whereas he has prayed that the Bar be authorized to admit him amongst its members and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Bar of the Province of Quebec is authorized to admit the said Ernest Lapointe to the final examination for admission to the practice of law, on presentation of a diploma conferring upon the said Ernest Lapointe the degree of the faculty of law of Laval University and of a certificate of Messrs. Lemieux and Lane, attesting that he has attended their office during three years, and to admit him amongst its members, after such examination.

2. This act shall come into force on the day of its sanction.

## CAP. XCVIII

An Act to authorize the Board of Notaries of the Province of Quebec to admit Jean Baptiste Trefflé Richard, to practise the Notarial profession, after examination

[Assented to 15th January, 1898]

**WHEREAS** Jean Baptiste Trefflé Richard, law student of the parish of L'Épiphanie, has, by his petition, represented :

That he has followed a complete course of classical and scientific studies ; that he holds a diploma of Bachelor of Arts from Laval University, and that he has, for a long time, received lessons in law and has attended a notary's office ;

That, for many years, he has occupied public and legislative positions and has thereby acquired much knowledge and experience :

That, however, he passed the examination for admission to the study of the Notarial profession only on the eighth September, one thousand eight hundred and ninety-seven, and passed his indentures only on the fourteenth of September of the same year ;

That, in consequence thereof, it is necessary that the Board of Notaries of the Province of Quebec should be authorized to admit him as a notary, and that the said Board consents to the passing of this act ;

Whereas, by his petition, he has prayed that an act be passed to that effect, and it is expedient to grant the said prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Board of Notaries authorized to admit J. B. T. Richard as a notary after examination.

**1.** The Board of Notaries of the Province of Quebec may admit Jean Baptiste Trefflé Richard among the number of the notaries of this Province, at any time after he shall have passed the examination for admission to the practice of the Notarial profession, in law to the contrary notwithstanding, upon the conditions mentioned in the resolution of the Board of Notaries of the 9th of September, 1897.

Coming into force.

**2.** This act shall come into force on the day of its sanction.

## CAP. XCIX

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec, to admit Napoléon Boucher, to the practice of Medicine and Surgery, after examinations

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS Napoléon Boucher, medical student, of the city and district of Montreal, has, by his petition, represented :

That he has followed the medical course at Laval University, in Montreal, for over five years ;

That he commenced to follow the course of medicine before he had obtained his certificate of admission to the study of medicine ;

That he obtained his diploma of Doctor of Medicine at Laval University in Montreal, after having duly followed the regular course of the said University ;

That the fact of his not having been regularly admitted to the study of medicine, exposes him to lose the benefit of several years of medical studies ;

That it is necessary that the College of Physicians and Surgeons of the Province of Quebec be authorized to grant him the licence required for the practice of his profession in the Province of Quebec, after examination ;

Whereas the petitioner has prayed that an act be passed to that effect, and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The College of Physicians and Surgeons of the Province of Quebec, is authorized to admit the said Napoléon Boucher and to grant him the necessary licence to enable him to practise medicine, surgery and obstetrics in this Province, after having passed the examinations required for admission to study and to practice.

N. Boucher  
may be ad-  
mitted as  
physician  
after exami-  
nation.

2. This act shall come into force on the day of its sanction.

Coming into  
force.

## C A P. C

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Joseph Arthur Noé Chabot to the practice of Medicine and Surgery, after examinations

[Assented to 15th January, 1898]

**W**HEREAS Joseph Arthur Noé Chabot, medical student, of the parish of Ste. Claire, in the county of Dorchester, has, by his petition, represented :

That he has followed the whole course of medicine of Laval University in Quebec for over three years and will complete his medical studies in June next (1898) ;

That he commenced to follow the medical course before he had obtained his certificate of admission to the study of medicine ;

That he was unable, for special reasons, to present himself at the examinations for admission to the study of medicine ;

That he has obtained his diploma of bachelor of medicine at Laval University of Quebec, after having duly followed the regular course of the said University ;

That the fact of his not having been regularly admitted to the study of medicine exposes him to lose the benefit of several years of medical studies ;

That it is necessary that the College of Physicians and Surgeons of the Province of Quebec be authorized to grant



him the licence required for the practice of his profession in the Province of Quebec, after examination ;

Whereas he has prayed that an act be passed to that effect and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

J. A. N. Chabot may be admitted as physician after examination.

**1.** The College of Physicians and Surgeons of the Province of Quebec is authorized to admit the said Joseph Arthur Noé Chabot and to grant him the necessary licence to practise medicine, surgery and obstetrics, in this Province, after having passed the examinations required for the admission to study and to practice.

Coming into force.

**2.** This act shall come into force on the day of its sanction.

### C A P. C I

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit François Xavier Demers amongst its members, after examinations

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** François Xavier Demers, of the parish of Notre-Dame de la Victoire, student of the Montreal school of Medicine and Surgery, Faculty of Medicine of Laval University, Montreal, has, by his petition, represented :

That he has followed a complete course of classical studies ;

That he has followed all the lectures of the said school for three years, and over, and that he will complete the course there in April next ;

That he commenced to follow the medical course at the said school before he had obtained his certificate of admission to the study of medicine ;

That the fact of his not having been regularly admitted to the study of medicine exposes him to lose the benefit of several years of medical studies, and to suffer great damage ;

Whereas he has prayed that the said College of Physicians and Surgeons of the Province of Quebec be authorized to admit him amongst its members, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

F. X. Demers may be admitted as

**1.** The College of Physicians and Surgeons of the Province of Quebec is authorized to admit the said François

Xavier Demers and to grant him the necessary licence to <sup>physician</sup> practise medicine, surgery and obstetrics in this Province, <sup>after exami-</sup> after having passed the examinations required for admission <sup>nation.</sup> to study and to practice.

2. This act shall come into force on the day of its sanc- <sup>Coming into</sup> tion. <sup>force.</sup>

## CAP. CII

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Joseph David Dupuis to the practice of Medicine and Surgery, after examinations

[Assented to 15th January, 1898]

**W**HEREAS Joseph David Dupuis, doctor of medicine, of <sup>Preamble.</sup> the town of St. John's, in the district of Iberville has, by his petition, represented ;

That he has followed the whole course of medicine of Laval University, in Montreal, for over four years and completed his medical studies in March last, 1897 ;

That he commenced to follow the medical course and completed the same before he had obtained his certificate of admission to the study of medicine ;

That he was unable, for special reasons, to present himself at the examinations for admission to the study of medicine ;

That he obtained his diploma of doctor of medicine at Laval University of Montreal, after examination, and after having duly followed the regular course of the said university ;

That the fact of his not having been regularly admitted to the study of medicine exposes him to lose the benefit of several years of medical studies ;

That he possesses the necessary capacities for the practice of medicine and surgery ;

Whereas he has prayed that the College of Physicians and Surgeons of the Province of Quebec be authorized to grant him the licence required for the practice of his profession in the Province of Quebec, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The College of Physicians and Surgeons of the Province of Quebec is authorized to grant to Joseph David Dupuis, <sup>J. D. Dupuis</sup> doctor of Medicine of Laval University of the town of St. <sup>may be admit-</sup> Johns, district of Iberville, the necessary licence to practise <sup>ted as physi-</sup> medicine, surgery and obstetrics in this Province, and the <sup>cian after</sup> said Joseph David Dupuis shall then be considered as a mem- <sup>examination.</sup>

ber of the said college, after having, however, passed the examinations required for admission to study and to practice.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

### C A P. C I I I

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit William James Enright to the practice of Medicine and Surgery, after examinations

[Assented to 15th January, 1898]

Preamble.

WHEREAS William James Enright, medical student, of Port Daniel, county of Bonaventure, has, by his petition, represented that he has followed all the lectures of the medical faculty of Laval University, at Quebec, for over three years, and that he will complete his medical studies there in June next, (1898) ;

That he commenced to follow the course of medicine before he obtained his certificate of admission to the study of medicine ;

That he was unable, for special reasons, to present himself for examination for admission to the study of medicine ;

That he has obtained his diploma of Bachelor of Medicine, at Laval University, Quebec, after having duly followed the regular course of the said University ;

That the fact of his not having been regularly admitted to the study of medicine exposes him to lose the benefit of several years of medical studies ;

That it is necessary that the College of Physicians and Surgeons of the Province of Quebec be authorized to grant him the licence required for the practice of his profession in the Province of Quebec, after examination ;

Whereas he has, by his petition, prayed that an act be passed to that effect, and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

W. J. Enright  
may be ad-  
mitted as  
physician  
after exami-  
nation.

1. The College of Physicians and Surgeons of the Province of Quebec is authorized to admit the said William James Enright and to grant him the licence required for the practice of medicine, surgery and obstetrics in this Province, after passing the examinations required for admission to study and to practice.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CAP. CIV

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Louis Onésime Gauthier among its members.

[Assented to 15th January, 1898]

**W**HEREAS, Louis Onésime Gauthier, of the city of Quebec, doctor of medicine, has, by his petition, represented :

That he has followed a course of classical studies ;

That he afterwards followed a course of medical studies at Laval University ; that he attended the hospitals during the time required ; that he holds cards or certificates to that effect ; that he has all his diplomas from Laval University, Quebec, and that he became a doctor of medicine in 1896 ;

That, from that date and with a view of perfecting himself in his profession, he has continued his medical studies in France, at Paris, where he attended the hospitals and followed the clinics ;

That he now desires to practise medicine in this Province and to be admitted among the physicians and surgeons who are entitled to practise in this Province, and, for that purpose, he requires to have the licence of the College of Physicians and Surgeons of the Province of Quebec ;

That he cannot now obtain such licence without special authorization, because his certificate of admission to the study of medicine dates only from the 25th September, 1895 ;

That he would suffer great damage and prejudice if he were compelled to wait until the expiration of the required delays to obtain the aforesaid licence from the College of Physicians ;

That the board of administration of the said college is not opposed to his request ;

Whereas he has prayed that the said college be authorized to admit him among its members, and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The College of Physicians and Surgeons of the Province of Quebec is authorized to grant to Louis Onésime Gauthier, of the city of Quebec, doctor of medicine of Laval University, the necessary licence to practise medicine, surgery and obstetrics in this Province ; and the said Louis Onésime Gauthier shall be considered a member of the said college, after, however, passing an examination on the primary and final medical matters before the said college.

L. O. Gauthier may be admitted as physician after examination.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

### C A P. C V

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Noël Eusèbe Guillet amongst its members, after examination

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS it has been represented by petition of Noël Eusèbe Guillet, of Manchester, in the State of New Hampshire, physician and surgeon :

That he was admitted to the degree of Doctor in Medicine by the University of Burlington, in the State of Vermont, in the year 1886, after a course of three years, and afterwards studied at Paris under Surgeon P. Pean for two years and five months and has certificates establishing his proficiency from the said surgeon ;

That he wishes to return to the Province, his native place, and practise his profession in the city of Montreal, after passing the examination for practice required by the Provincial Medical Board ;

Whereas he has prayed for the passing of an act authorizing the College of Physicians and Surgeons of the Province of Quebec to allow him to undergo the final examination for practice and afterwards to grant him a license to practise as a physician and surgeon in the Province and to admit him as a member of the said College ;

And whereas it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

N. E. Guillet  
may be ad-  
mitted as  
physician  
after exami-  
nation.

1. The College of Physicians and Surgeons of the Province of Quebec is authorized to grant Noël Eusèbe Guillet, of Manchester, in the State of New Hampshire, physician and surgeon, the license to practise in the Province of Quebec, after examination for admission to study and to practice, and to admit him as a member of the said College.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CAP. CVI

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Henri Alphonse Hamel to the practice of Medicine and Surgery, after examinations

[Assented to 15th January, 1898]

**WHEREAS** Henri Alphonse Hamel, medical student of the town and district of Chicoutimi, has, by petition, represented :

That he has followed the whole course of medicine at Laval University, in Quebec, for over three years and will complete his medical studies in June next (1898) ;

That he commenced to follow the medical course before he had obtained his certificate of admission to the study of medicine ;

That he was unable, for special reasons, to present himself at the examinations for admission to the study of medicine ;

That he has obtained his diploma of bachelor of medicine at Laval University of Quebec, after having duly followed the regular course of the said University ;

That the fact of his not having been regularly admitted to the study of medicine exposes him to lose the benefit of several years of medical studies ;

That it is necessary that the College of Physicians and Surgeons of the Province of Quebec be authorized to grant him the licence required for the practice of his profession in the Province of Quebec, after examination ;

Whereas he has prayed that an act be passed to that effect and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The College of Physicians and Surgeons of the Province of Quebec is authorized to admit the said Henri Alphonse Hamel and to grant him the necessary licence to practise medicine, surgery and obstetrics in this Province, after having passed the examinations required for admission to study and to practice.

H. A. Hamel  
may be ad-  
mitted as  
physician  
after exami-  
nation.

2. This act shall come into force on the day of its sanction.

Coming into  
force.

## CAP. CVII

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Jean Arthur Roy to the practice of Medicine and Surgery, after examinations.

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS Jean Arthur Roy, of the city of Quebec, veterinary surgeon and medical student, has, by petition, represented :

That he followed the whole course of medicine at Laval University in Quebec for over three years, and will complete his medical studies there in June next (1898) ;

That he commenced to follow the medical course before he had obtained his certificate of admission to the study of medicine ;

That he was unable, for special reasons, to present himself at the examinations for admission to the study of medicine ;

That he has obtained his diploma of bachelor of medicine at Laval University, of Quebec, after having duly followed the regular course of the said University ;

That the fact of his not having been regularly admitted to the study of medicine exposes him to lose the benefit of several years of medical studies ;

That it is necessary that the College of Physicians and Surgeons of the Province of Quebec be authorized to grant the licence required for the practice of his profession in the Province of Quebec, after examination ;

Whereas he has prayed that an act be passed to that effect and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

J. A. Roy,  
may be admitted as  
physician  
after examination.

**1.** The College of Physicians and Surgeons of the Province of Quebec is authorized to admit the said Jean Arthur Roy and to grant him the necessary licence to practise medicine, surgery and obstetrics in this Province, after having passed the examinations required for admission to study and to practice.

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## CAP. CVIII

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Emile Thibaudeau to the practice of medicine and surgery, after examinations

[Assented to 15th January, 1898]

**W**HEREAS Emile Thibaudeau, medical student, of the Preamble.  
city and district of Quebec, has, by his petition, represented :

That he has followed a complete course of medicine at Laval University, in Quebec, for nearly three years, and will complete his medical studies there in March, 1899 ;

That he commenced to follow the course of medicine before having obtained his certificate of admission to the study of medicine ;

That the fact of his not having been regularly admitted to the study of medicine exposes him to lose the benefit of several years of medical studies ;

That it is necessary that the College of Physicians and Surgeons of the Province of Quebec be authorized to grant him the licence required for the practice of his profession in the Province of Quebec, after examination ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The College of Physicians and Surgeons of the Province of Quebec is authorized to admit the said Emile Thibaudeau and to grant him the necessary licence to enable him to practise medicine, surgery and obstetrics in this Province, after passing the examinations required for admission to study and to practice. E. Thibaudeau may be admitted as physician after examination.

**2.** This act shall come into force on the day of its sanction. Coming into force.



## CAP. CIX

An Act to authorize Gustave Massue Drolet to bear the name of Gustave Drolet Massue

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS Gustave Massue Drolet, of the parish of St. Aimé, in the district of Richelieu, has, by his petition, represented :

That he has received a certain legacy from his uncle the late Joseph Aimé Massue, on condition that he take the name of Gustave Drolet Massue ;

That for many years he has borne the name of Gustave Drolet Massue ;

Whereas petitioner prays to be authorized to change his name and to duly and lawfully bear that of Gustave Drolet Massue, and it is expedient to grant such prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Change of  
name author-  
ized.  
Rights under  
new name.

**1.** The said Gustave Massue Drolet is authorized to change his name to that of Gustave Drolet Massue.

Under the latter name he may exercise all civil rights whatever.

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

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